S/INF/63

United Nations

Resolutions and Decisions of the Security Council

1 August 2007 – 31 July 2008

Security Council
Official Records

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United Nations • New York, 2008

NOTE

The present volume of *Resolutions and Decisions of the Security Council* contains the resolutions adopted and the decisions taken by the Council on substantive questions during the period from 1 August 2007 to 31 July 2008, as well as decisions on some of the more important procedural matters. The resolutions and decisions are set out in parts I and II, under general headings indicating the questions under consideration. In each part, the questions are arranged according to the date on which they were first taken up by the Council, and under each question the resolutions and decisions appear in chronological order.

The resolutions are numbered in the order of their adoption. Each resolution is followed by the result of the vote. Decisions are usually taken without a vote.

S/INF/63

ISSN 0257-1455

Contents

Page

Membership of the Security Council in 2007 and 2008 vii

Resolutions adopted and decisions taken by the Security Council from 1 August 2007 to 31 July 2008 1

Part I. ***Questions considered by the Security Council under its responsibility for the maintenance of international peace and security***

Items relating to the situation in the Middle East:

A. The situation in the Middle East, including the Palestinian question 1

B. The situation in the Middle East 4

The situation in Cyprus 17

The situation concerning Western Sahara 22

The situation in Timor-Leste 26

The situation between Iraq and Kuwait 32

The situation in Liberia 32

The situation in Somalia 39

Items relating to the situation in the former Yugoslavia:

A. The situation in Bosnia and Herzegovina 63

B. Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999) 68

C. International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 72

Items relating to the situation concerning Rwanda:

A. The situation concerning Rwanda 74

B. International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 76

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 79

The situation in Georgia 80

The question concerning Haiti 86

The situation in Burundi 90

The situation in Afghanistan 94

The situation in Sierra Leone 108

Relations between Cameroon and Nigeria 112

The situation in the Great Lakes region 113

	Page
The situation concerning the Democratic Republic of the Congo	116
The situation in the Central African Republic	132
The situation between Eritrea and Ethiopia	133
Children and armed conflict	139
The situation in Guinea-Bissau	144
Protection of civilians in armed conflict	148
Small arms	149
Women and peace and security	150
Briefing by the President of the International Court of Justice	157
Meeting of the Security Council with the troop-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B:	
A. United Nations Peacekeeping Force in Cyprus	157
B. United Nations Disengagement Observer Force	158
C. United Nations Interim Force in Lebanon	159
D. United Nations Mission for the Referendum in Western Sahara	159
E. United Nations Observer Mission in Georgia	160
F. United Nations Organization Mission in the Democratic Republic of the Congo	160
G. United Nations Mission in Ethiopia and Eritrea	161
H. United Nations Mission in Liberia	161
I. United Nations Operation in Côte d'Ivoire	161
J. United Nations Stabilization Mission in Haiti	162
K. United Nations Mission in the Sudan	162
L. African Union-United Nations Hybrid Operation in Darfur	163
Briefing by the Chairman-in-Office of the Organization for Security and Cooperation in Europe	163
Threats to international peace and security caused by terrorist acts	164
The situation in Côte d'Ivoire	178
Security Council mission	189
Briefings by Chairmen of subsidiary bodies of the Security Council	189
Cross-border issues in West Africa	190
Non-proliferation of weapons of mass destruction	190
Reports of the Secretary-General on the Sudan	193
Special Adviser on the Prevention of Genocide	212
Post-conflict peacebuilding	212
The situation concerning Iraq	214
Non-proliferation	228

	Page
The situation in Myanmar	235
Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council	237
Maintenance of international peace and security: role of the Security Council in supporting security sector reform	241
United Nations Regional Centre for Preventive Diplomacy for Central Asia	243
Maintenance of international peace and security	243
The situation in Chad, the Central African Republic and the subregion	246
Peace and security in Africa:	
A. General issues	253
B. Kenya	257
C. Djibouti and Eritrea	258
D. Zimbabwe	259
The role of regional and subregional organizations in the maintenance of international peace and security	261
Briefing by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator	263
Special Adviser on the Responsibility to Protect	263
Part II. Other matters considered by the Security Council	
Consideration of the draft report of the Security Council to the General Assembly	264
Security Council documentation and working methods and procedure	264
Items included in the agenda of the Security Council for the first time from 1 August 2007 to 31 July 2008	273
Checklist of resolutions adopted by the Security Council from 1 August 2007 to 31 July 2008	275
Draft resolutions considered at a formal meeting and not adopted	279
Checklist of statements made by the President of the Security Council from 1 August 2007 to 31 July 2008	281

Membership of the Security Council in 2007 and 2008

In 2007 and 2008, the membership of the Security Council was as follows:

2007	2008
Belgium	Belgium
China	Burkina Faso
Congo	China
France	Costa Rica
Ghana	Croatia
Indonesia	France
Italy	Indonesia
Panama	Italy
Peru	Libyan Arab Jamahiriya
Qatar	Panama
Russian Federation	Russian Federation
Slovakia	South Africa
South Africa	United Kingdom of Great Britain and Northern Ireland
United Kingdom of Great Britain and Northern Ireland	United States of America
United States of America	Viet Nam

Resolutions adopted and decisions taken by the Security Council from 1 August 2007 to 31 July 2008

Part I. Questions considered by the Security Council under its responsibility for the maintenance of international peace and security

ITEMS RELATING TO THE SITUATION IN THE MIDDLE EAST

A. The situation in the Middle East, including the Palestinian question[1]

Decisions

On 24 August 2007, the President of the Security Council addressed the following letter to the Secretary-General:[2]

> "I have the honour to inform you that your letter dated 22 August 2007 concerning the activities of the Quartet, including the mandate of its Representative, Mr. Tony Blair, and the establishment and functioning of its Jerusalem office,[3] has been brought to the attention of the members of the Security Council. They have taken note of the arrangements that you proposed in your letter."

At its 5736th meeting, on 29 August 2007, the Council decided to invite the representatives of Algeria, Bangladesh, Brazil, Cuba, Iran (Islamic Republic of), Israel, Japan, Jordan, Lebanon, Malaysia, Norway, Pakistan, Portugal, the Syrian Arab Republic, Viet Nam and Yemen to participate, without vote, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 24 August 2007 to the President of the Council,[4] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Michael Williams, United Nations Special Coordinator for the Peace Process in the Middle East and Personal Representative of the Secretary-General.

At its 5746th meeting, on 20 September 2007, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At its 5767th meeting, on 24 October 2007, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

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[1] Resolutions or decisions on this question were first adopted by the Security Council in 2000.

[2] S/2007/508.

[3] S/2007/507.

[4] Document S/2007/514, incorporated in the record of the 5736th meeting.

At its 5788th meeting, on 30 November 2007, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

On 30 November 2007, the President of the Security Council addressed the following letter to the Secretary-General:[5]

> "I have the honour to inform you that your letter dated 28 November 2007 concerning your intention to appoint Mr. Robert H. Serry, of the Netherlands, as the United Nations Special Coordinator for the Middle East Peace Process and your Personal Representative to the Palestine Liberation Organization and the Palestinian Authority[6] has been brought to the attention of the members of the Security Council. They take note of the information and intention contained in your letter."

At its 5815th meeting, on 21 December 2007, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At its 5824th meeting, on 22 January 2008, the Council decided to invite the representatives of Cuba, Egypt, Israel, Jordan, Lebanon, Pakistan, Saudi Arabia, Slovenia and the Syrian Arab Republic to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian question

> "Letter dated 21 January 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Saudi Arabia to the United Nations addressed to the President of the Security Council (S/2008/31)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 21 January 2008 to the President of the Council,[7] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At the same meeting, in response to the request dated 22 January 2008 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yahya Mahmassani, Permanent Observer for the League of Arab States to the United Nations.

At its 5827th meeting, on 30 January 2008, the Council decided to invite the representatives of Israel, Lebanon and the Syrian Arab Republic to participate, without vote, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 22 January 2008 to

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[5] S/2007/691.

[6] S/2007/690.

[7] Document S/2008/32, incorporated in the record of the 5824th meeting.

the President of the Council,[8] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At its 5846th meeting, on 26 February 2008, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Robert H. Serry, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General, and Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

At its 5847th meeting, on 1 March 2008, the Council decided to invite the representative of Israel to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East, including the Palestinian question

> "Letter dated 1 March 2008 from the Permanent Representative of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (S/2008/142)".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 1 March 2008 to the President of the Council,[9] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At its 5859th meeting, on 25 March 2008, the Council decided to invite the representatives of Cuba, Israel, Lebanon, Pakistan, Slovenia, the Sudan and the Syrian Arab Republic to participate, without vote, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 19 March 2008 to the President of the Council,[10] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At its 5873rd meeting, on 23 April 2008, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Angela Kane, Assistant Secretary-General for Political Affairs.

At its 5899th meeting, on 28 May 2008, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to

[8] Document S/2008/51, incorporated in the record of the 5827th meeting.

[9] Document S/2008/143, incorporated in the record of the 5847th meeting.

[10] Document S/2008/184, incorporated in the record of the 5859th meeting.

Mr. Robert H. Serry, United Nations Special Coordinator for the Middle East Peace Process and Personal Representative of the Secretary-General.

At its 5927th meeting, on 27 June 2008, the Council considered the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Lisa Buttenheim, Director of the Asia and the Pacific Division of the Department of Political Affairs of the Secretariat.

At its 5940th meeting, on 22 July 2008, the Council decided to invite the representatives of Argentina, Cuba, Iran (Islamic Republic of), Israel, Japan, Jordan, Lebanon, Malaysia, Qatar and the Syrian Arab Republic to participate, without vote, in the discussion of the item entitled "The situation in the Middle East, including the Palestinian question".

At the same meeting, the Council also decided to extend an invitation to the Chargé d'Affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations, in response to the request dated 18 July 2008 from the Permanent Observer of Palestine to the President of the Council,[11] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Paul Badji, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, in response to his request dated 15 July 2008.

B. The situation in the Middle East[12]

Decisions

At its 5728th meeting, on 3 August 2007, the Security Council decided to invite the representatives of Israel and Lebanon to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the implementation of Security Council resolution 1701 (2006) (S/2007/392)

"Letter dated 26 June 2007 from the Secretary-General to the President of the Security Council (S/2007/382)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[13]

"The Security Council recalls its previous resolutions and the statements by its President on Lebanon. It welcomes the report of the Secretary-General of 28 June 2007.[14] It reaffirms its strong support for the sovereignty, territorial integrity, unity and political independence of Lebanon within its internationally recognized borders and under the sole and exclusive authority of its Government. The Council encourages efforts towards national

[11] Document S/2008/473, incorporated in the record of the 5940th meeting.

[12] Resolutions or decisions on this question were first adopted by the Security Council in 1967.

[13] S/PRST/2007/29.

[14] S/2007/392.

reconciliation and political dialogue. It reiterates its full support for the legitimate and democratically elected Government of Lebanon, calls for full respect for the democratic institutions of the country, in conformity with its Constitution, and condemns any effort to destabilize Lebanon. The Council also reiterates its full support for the efforts carried out by the Lebanese army to ensure security and stability throughout Lebanon and reaffirms that there should be no weapons or authority in Lebanon other than that of the Lebanese State.

"The Council reiterates its attachment to the full implementation of all provisions of resolution 1701 (2006) and urges all concerned parties to cooperate fully with the Council and the Secretary-General to achieve a permanent ceasefire and a long-term solution as envisioned in the resolution. It also takes note of the letter dated 25 June 2007 from the Government of Lebanon to the Secretary-General,[15] in which it reaffirmed its commitment to the role of the United Nations Interim Force in Lebanon and asked for the renewal of its mandate. The Council reaffirms its full support for the Force, condemns all terrorist attacks against it, and calls upon all parties to abide by their obligation to respect the safety of United Nations personnel. It also emphasizes the need for the Force to enhance its investigative capacity in response to the attacks. The Council welcomes the tripartite arrangements referred to in the report of the Secretary-General, notes the commitments to reach an agreement on the northern part of Ghajar, and encourages the parties to cooperate with the Force to visibly mark the Blue Line. It expresses its deep concern at the increase in Israeli violations of Lebanese airspace and appeals to all parties concerned to respect the cessation of hostilities and the Blue Line in its entirety.

"The Council, in this context, expresses grave concern at persistent reports of breaches of the arms embargo along the border between Lebanon and the Syrian Arab Republic. It expresses concern at any allegation of rearming of Lebanese and non-Lebanese armed groups and militias and reiterates that there should be no sale or supply of arms and related materiel to Lebanon except as authorized by its Government. In this regard, it expresses concern about the recent statement by Hizbullah that it retains the military capacity to strike all parts of Israel, and calls upon all parties to refrain from statements and activities that could jeopardize the cessation of hostilities. The Council takes note of the detailed information conveyed by the Government of Lebanon about the dangerous activities of armed elements and groups, in particular the Popular Front for the Liberation of Palestine-General Command and Fatah-Intifada, and reiterates its call for the disbanding and disarmament of all militias and armed groups in Lebanon. It underscores the obligation of all Member States, in particular those in the region, to take all necessary measures to implement paragraph 15 of resolution 1701 (2006) to enforce the arms embargo.

"The Council welcomes the recommendations of the Lebanon Independent Border Assessment Team and looks forward to their implementation. It requests the Secretary-General, in consultation with the Government of Lebanon, to assess their implementation and to regularly update the Council on this issue in his regular reports on the implementation of resolution 1701 (2006), including, as appropriate and in coordination with the Government of Lebanon, on the basis of follow-up field visits. The Council welcomes the assistance provided by donors to help the Government of Lebanon to secure its borders and encourages further such assistance, including by continuing to provide equipment and border security experts. Underlining that the Syrian Arab Republic and Lebanon share responsibility for controlling their border, it notes that the Government of the Syrian Arab Republic has stated that it has taken measures, reiterates its call upon that Government to take further measures to reinforce control at the border, and looks forward to additional proposals in this regard in the light of the visit by the Secretary-General to the Syrian Arab Republic. The Council also calls for enhanced cross-border cooperation to secure the Syrian-Lebanese border.

[15] S/2007/396, annex.

"The Council emphasizes the need for greater progress on all the principles and elements required for a permanent ceasefire and long-term solution identified in resolution 1701 (2006). The Council expresses deep concern that Hizbullah has not returned the two Israeli soldiers it abducted, or even provided proof of life, and calls for their immediate and unconditional return. It further encourages efforts to urgently settle the issue of Lebanese prisoners detained in Israel.

"The Council expresses deep concern at the presence of unexploded ordnance in southern Lebanon and renews its support for the request by the Secretary-General to Israel to provide to the United Nations detailed data on its use of cluster munitions in southern Lebanon.

"The Council, bearing in mind the relevant provisions of resolutions 1559 (2004), 1680 (2006) and 1701 (2006) on the delineation of the Syrian-Lebanese border, looks forward to the reactivation of the Syrian-Lebanese boundary committee. It takes note of the solid progress made by the cartographer towards a provisional determination of the geographical extent of the Shebaa Farms and welcomes the intention of the Secretary-General to engage in further discussions with the parties on the Shebaa Farms area, including on its territorial definition, that will strengthen a diplomatic process aimed at resolving this key issue in accordance with the relevant provisions of resolution 1701 (2006). It also reiterates its appreciation for the process launched by the Secretary-General to investigate the implications of the interim proposal contained in the seven-point plan of the Government of Lebanon regarding the Shebaa Farms area.[16] Recalling paragraph 62 of the report of the Secretary-General, the Council underlines that progress should also be made on all the other issues identified in paragraph 10 of resolution 1701 (2006). In this regard, the Council requests, pursuant to resolution 1701 (2006), that the Secretary-General continue to develop, in liaison with relevant actors and the parties concerned, proposals to implement the relevant provisions of the Taif Accords and resolutions 1559 (2004) and 1680 (2006), including disarmament.

"The Council stresses the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973."

At its 5733rd meeting, on 24 August 2007, the Council decided to invite the representatives of Israel and Lebanon to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

"Letter dated 2 August 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/470)".

Resolution 1773 (2007)
of 24 August 2007

The Security Council,

Recalling all its previous resolutions on Lebanon, in particular resolutions 425 (1978) and 426 (1978) of 19 March 1978, 1559 (2004) of 2 September 2004, 1680 (2006) of 17 May 2006 and 1701 (2006) of 11 August 2006, as well as the statements by its President on the situation in Lebanon, in particular the statement of 3 August 2007,[13]

Recalling also the report of the Secretary-General of 28 June 2007[14] and the letter dated 2 August 2007 from the Secretary-General to the President of the Security Council,[17]

[16] See S/2006/639.

[17] S/2007/470.

Reaffirming its strong commitment to the sovereignty, territorial integrity, unity and political independence of Lebanon within its internationally recognized borders and under the sole and exclusive authority of its Government,

Reiterating its strong support for full respect for the cessation of hostilities and the Blue Line in its entirety,

Reaffirming its attachment to the full implementation of all provisions of resolution 1701 (2006), and aware of its responsibilities to help to secure a permanent ceasefire and a long-term solution as envisioned in the resolution,

Emphasizing the need to address the causes of the conflict, including that the abducted Israeli soldiers have not been released, nor has proof of life been provided, and calling once again for their immediate and unconditional return,

Encouraging the efforts aimed at urgently settling the issue of the Lebanese prisoners detained in Israel,

Welcoming the steps taken by the Government of Lebanon to extend its authority over its territory, through its own legitimate armed forces, such that there will be no weapons without the consent of the Government of Lebanon and no authority other than that of the Government of Lebanon, and encouraging it to continue its efforts in this regard,

Welcoming also the tripartite arrangements referred to in the report of the Secretary-General, and encouraging the parties to coordinate further with the United Nations Interim Force in Lebanon, notably to visibly mark the Blue Line and reach an agreement on the northern part of Ghajar,

Condemning in the strongest terms all terrorist attacks against the Force, and emphasizing the need for further coordination between the Force and the Lebanese Armed Forces, in particular regarding the establishment between the Blue Line and the Litani river of an area free of any armed personnel, assets and weapons other than those of the Government of Lebanon and of the Force, and for the Force to enhance its investigative capacities in response to these attacks,

Underlining the importance of continued efforts to clear unexploded ordnance from southern Lebanon, and calling upon all parties to support these efforts,

Reaffirming the authority of the Force to take all necessary action, in areas of deployment of its forces and as it deems within its capabilities, to ensure that its area of operations is not utilized for hostile activities of any kind and to resist attempts by forceful means to prevent it from discharging its mandate,

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel,[18]

Commending the active role and dedication of the personnel of the Force, notably of its Commander, as well as of the United Nations Special Coordinator for Lebanon,

Expressing its strong appreciation to Member States that contribute to the Force, and underlining the necessity that the Force have at its disposal all necessary means and equipment to carry out its mandate,

Responding to the request of the Government of Lebanon to extend the mandate of the Force for a new period of one year without amendment, presented in the letter dated 25 June 2007 from the Prime Minister of Lebanon to the Secretary-General,[15]

Determining that the situation in Lebanon continues to constitute a threat to international peace and security,

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[18] United Nations, *Treaty Series*, vol. 2051, No. 35457.

1. *Decides* to extend the present mandate of the United Nations Interim Force in Lebanon until 31 August 2008;

2. *Commends* the positive role of the Force, whose deployment together with the Lebanese Armed Forces has helped to establish a new strategic environment in southern Lebanon, and looks forward to its increased cooperation with the Lebanese Armed Forces in the discharge of its mandate;

3. *Calls upon* all parties concerned to respect the cessation of hostilities and the Blue Line in its entirety;

4. *Urges* all parties to cooperate fully with the United Nations and the Force and to abide scrupulously by their obligation to respect the safety of the Force and other United Nations personnel, including by avoiding any course of action which endangers United Nations personnel and by ensuring that the Force is accorded full freedom of movement within its area of operations;

5. *Calls upon* all parties to cooperate fully with the Security Council and the Secretary-General to achieve a permanent ceasefire and a long-term solution as envisioned in resolution 1701 (2006), and emphasizes the need for greater progress in this regard;

6. *Reiterates its intention* to consider further steps to contribute to the implementation of a permanent ceasefire and a long-term solution;

7. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

8. *Requests* the Secretary-General to continue to report to the Council on the implementation of resolution 1701 (2006) every four months, or at any time as he deems appropriate;

9. *Stresses* the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242 (1967) of 22 November 1967, 338 (1973) of 22 October 1973 and 1515 (2003) of 19 November 2003;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5733rd meeting.

Decisions

At its 5747th meeting, on 20 September 2007, the Security Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled "The situation in the Middle East".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[19]

> "The Security Council strongly condemns the terrorist attack in Beirut on 19 September 2007, which killed at least seven persons, including Member of Parliament Antoine Ghanem. The Council expresses its deepest sympathy and condolences to the families of the victims and to the people and Government of Lebanon.
>
> "The Council commends the determination and commitment of the Government of Lebanon to bring to justice the perpetrators, organizers and sponsors of this and other

[19] S/PRST/2007/34.

assassinations and underlines its determination to support the Government of Lebanon in its efforts to this end.

"The Council reiterates its condemnation of all targeted assassinations of Lebanese leaders, including since October 2004, and demands an immediate end of the use of intimidation and violence against the representatives of the Lebanese people and institutions. On the eve of the crucial period of the presidential election, it stresses that any attempt to destabilize Lebanon, including through political assassination or other terrorist acts, should not impede or subvert the constitutional process in Lebanon.

"The Council reiterates, in this context, its call for the holding of a free and fair presidential election in conformity with Lebanese constitutional norms and schedules and without any foreign interference, fully respecting the sovereignty of Lebanon.

"The Council emphasizes the importance of the unity of all the Lebanese people. It also reiterates its full support to all ongoing efforts in Lebanon to combat terrorism, solidify democratic institutions through national dialogue, and continue to extend the authority of the Government of Lebanon throughout its territory."

On 21 September 2007, the President of the Security Council addressed the following letter to the Secretary-General:[20]

"The members of the Security Council have carefully considered your letter dated 20 September 2007 regarding the request of the Government of Lebanon for technical assistance from the International Independent Investigation Commission in the effort to investigate the murder of Member of Parliament Antoine Ghanem on 19 September 2007.[21]

"Determined to continue to assist the Government of Lebanon in the search for the truth and to bring to justice the perpetrators, organizers and sponsors of that terrorist attack and of other terrorist attacks and assassinations committed in Lebanon,[22] they refer to resolutions 1644 (2005) and 1748 (2007) and invite the Commission to extend appropriate technical assistance to the Lebanese authorities in the investigation, and invite the Secretary-General to so inform the Government of Lebanon and the Commissioner of the International Independent Investigation Commission."

On 16 October 2007, the President of the Security Council addressed the following letter to the Secretary-General:[23]

"I have the honour to inform you that your letter dated 10 October 2007 concerning your intention to appoint Judge Mohamed Amin El Mahdi, of Egypt, and Judge Erik Møse, of Norway, as the two judges on the selection panel for the Special Tribunal for Lebanon, as well as Mr. Nicolas Michel, Under-Secretary-General for Legal Affairs, the Legal Counsel, as your representative[24] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 14 November 2007, the President of the Security Council addressed the following letter to the Secretary-General:[25]

"I have the honour to inform you that your letter dated 12 November 2007 concerning your intention to appoint Mr. Daniel Bellemare, of Canada, as the Commissioner of the International Independent Investigation Commission established following the assassination

[20] S/2007/557.

[21] S/2007/556.

[22] See S/PRST/2007/18.

[23] S/2007/610.

[24] S/2007/609.

[25] S/2007/670.

of the former Prime Minister of Lebanon, Mr. Rafiq Hariri, in accordance with Security Council resolution 1595 (2005),[26] has been brought to the attention of the members of the Council. They take note of the intention expressed in your letter."

At its 5790th meeting, on 5 December 2007, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

"Letter dated 28 November 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/684)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Serge Brammertz, Commissioner of the International Independent Investigation Commission.

At its 5799th meeting, on 11 December 2007, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled "The situation in the Middle East".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[27]

"The Security Council stresses its deep concern at the repeated postponements of the presidential election in Lebanon.

"It emphasizes that the ongoing political impasse does not serve the interest of the Lebanese people and may lead to further deterioration of the situation in Lebanon.

"The Council reiterates its call for the holding, without delay, of a free and fair presidential election in conformity with Lebanese constitutional rules, without any foreign interference or influence, and with full respect for democratic institutions.

"It emphasizes the importance of Lebanese constitutional institutions, including the Government of Lebanon, as well as the importance of the unity of the Lebanese people, in particular on the basis of reconciliation and political dialogue.

"It calls upon all Lebanese political parties to continue to exercise restraint and to show responsibility with a view to preventing, through dialogue, further deterioration of the situation in Lebanon.

"The Council therefore commends the course adopted by the democratically elected Government of Lebanon and the Lebanese Armed Forces in carrying out their respective responsibilities in the period until the presidential election occurs.

"The Council reiterates its call for the full implementation of all its resolutions on Lebanon."

At its 5800th meeting, on 12 December 2007, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled "The situation in the Middle East".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[28]

"The Security Council condemns in the strongest terms the terrorist attack in Baabda, Lebanon, on 12 December 2007 which killed Brigadier General François el-Hajj of the Lebanese Armed Forces and killed and injured several other persons.

[26] S/2007/669.

[27] S/PRST/2007/46.

[28] S/PRST/2007/47.

"It expresses its deepest sympathy and condolences to the families of the victims, to the Lebanese Armed Forces and to the Government of Lebanon.

"The Council expresses its strong condemnation of this attempt to destabilize Lebanese institutions, in this particular case the Lebanese Armed Forces.

"The Council reiterates its condemnation of all targeted assassinations of Lebanese leaders, particularly since October 2004, and demands an immediate end to the use of intimidation and violence against the representatives of the Lebanese people and institutions.

"It stresses that it is of the highest importance that the perpetrators, organizers and sponsors of this heinous crime are brought to justice and expresses its determination to support the efforts and commitment of the Government of Lebanon to this end.

"The Council recalls its support for the efforts of the Secretary-General for the establishment of the Special Tribunal for Lebanon in a timely manner, as a means to put an end to impunity in Lebanon and deter further assassinations in Lebanon.

"It underlines that no attempt to destabilize Lebanon should prevent the holding, without delay, of a free and fair presidential election in conformity with Lebanese constitutional rules, without any foreign interference or influence, and with full respect for democratic institutions.

"The Council emphasizes the importance of the unity of all the Lebanese people. It also reiterates its full support for all ongoing efforts in Lebanon to combat terrorism, solidify democratic institutions, engage in political dialogue and pursue national reconciliation."

At its 5802nd meeting, on 14 December 2007, the Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the United Nations Disengagement Observer Force (S/2007/698)".

Resolution 1788 (2007)
of 14 December 2007

The Security Council,

Having considered the report of the Secretary-General of 3 December 2007 on the United Nations Disengagement Observer Force,[29] and reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Welcomes* the efforts being undertaken by the United Nations Disengagement Observer Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

3. *Decides* to renew the mandate of the Force for a period of six months, that is, until 30 June 2008;

4. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 5802nd meeting.

[29] S/2007/698.

Decisions

Also at the 5802nd meeting, following the adoption of resolution 1788 (2007), the President of the Security Council made the following statement on behalf of the Council:[30]

> "In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:
>
> > 'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[29] states in paragraph 11: "... the situation in the Middle East is tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached". That statement of the Secretary-General reflects the view of the Security Council.' "

On 14 December 2007, the President of the Security Council addressed the following letter to the Secretary-General:[31]

> "The members of the Security Council have carefully considered your letter dated 12 December 2007 regarding the request of the Government of Lebanon for technical assistance from the International Independent Investigation Commission in the effort to investigate the murder of Brigadier General François el-Hajj on 12 December 2007.[32]
>
> "Determined to continue to assist the Government of Lebanon in the search for the truth and in bringing to justice the perpetrators, organizers and sponsors of that terrorist attack and of other terrorist attacks and assassinations committed in Lebanon,[19, 28] they refer to resolutions 1644 (2005) and 1748 (2007) and invite the Commission to extend appropriate technical assistance to the Lebanese authorities in the investigation, and invite the Secretary-General to so inform the Government of Lebanon and the Commissioner of the International Independent Investigation Commission."

On 31 January 2008, the President of the Security Council addressed the following letter to the Secretary-General:[33]

> "The members of the Security Council have carefully considered your letter dated 30 January 2008 regarding the request of the Government of Lebanon for technical assistance from the International Independent Investigation Commission in the effort to investigate the murder of Major Wissam Eid of the Internal Security Forces, Adjutant Oussama Merheb and other civilians.[34]
>
> "Determined to continue to assist the Government of Lebanon in the search for the truth and in bringing to justice the perpetrators, organizers and sponsors of that terrorist attack and of other terrorist attacks and assassinations committed in Lebanon,[28] they refer to resolutions 1644 (2005) and 1748 (2007) and invite the Commission to extend appropriate technical assistance to the Lebanese authorities in the investigation, and invite the Secretary-General to so inform the Government of Lebanon and the Commissioner of the International Independent Investigation Commission."

At its 5863rd meeting, on 8 April 2008, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

> "Letter dated 28 March 2008 from the Secretary-General addressed to the President of the Security Council (S/2008/210)".

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[30] S/PRST/2007/48.

[31] S/2007/736.

[32] S/2007/735.

[33] S/2008/61.

[34] S/2008/60.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Daniel Bellemare, Commissioner of the International Independent Investigation Commission.

On 11 April 2008, the President of the Security Council addressed the following letter to the Secretary-General:[35]

> "I have the honour to inform you that your letter dated 8 April 2008 concerning your intention to appoint Mr. Johan Verbeke, of Belgium, as your Special Coordinator for Lebanon[36] has been brought to the attention of the members of the Security Council. They take note of the intention and information contained in your letter."

At its 5867th meeting, on 15 April 2008, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the implementation of Security Council resolution 1701 (2006) (S/2008/135)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[37]

> "The Security Council recalls its resolution 1773 (2007) as well as the statements by its President on Lebanon and welcomes the reports of the Secretary-General of 30 October 2007[38] and 28 February 2008.[39]
>
> "It reiterates its commitment to the full implementation of all provisions of its resolution 1701 (2006) and reaffirms its strong support for the efforts of the Secretary-General in this regard.
>
> "The Council takes note of the progress as well as of the concerns expressed by the Secretary-General regarding the implementation of resolution 1701 (2006) and emphasizes the need for greater progress on all the key issues required for a permanent ceasefire and long-term solution, as referred to in the reports of the Secretary-General.
>
> "It also calls upon all concerned parties, in particular in the region, to intensify their efforts in implementing resolution 1701 (2006), including by fully cooperating with the Secretary-General in this regard.
>
> "The Council reiterates its full support for the United Nations Interim Force in Lebanon and calls upon all parties to abide by their obligations to respect the safety of United Nations personnel. It welcomes the further enhancement of the cooperation between the Force and the Lebanese Armed Forces.
>
> "It stresses the importance of, and the need to achieve, a comprehensive, just and lasting peace in the Middle East, based on all its relevant resolutions, including resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973."

At its 5888th meeting, on 8 May 2008, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled "The situation in the Middle East".

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[35] S/2008/237.

[36] S/2008/236.

[37] S/PRST/2008/8.

[38] S/2007/641.

[39] S/2008/135.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Terje Roed-Larsen, Special Envoy of the Secretary-General for the Implementation of Security Council resolution 1559 (2004).

On 8 May 2008, the President of the Security Council addressed the following letter to the Secretary-General:[40]

> "I have the honour to inform you that your letter dated 6 May 2008 concerning your intention to add Croatia to the list of countries that have agreed to provide military personnel to the United Nations Disengagement Observer Force[41] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5896th meeting, on 22 May 2008, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled "The situation in the Middle East".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[42]

> "The Security Council congratulates the leaders and the people of Lebanon and welcomes and strongly supports the agreement reached in Doha on 21 May 2008 under the auspices of the League of Arab States, which constitutes an essential step towards the resolution of the current crisis, the return to the normal functioning of Lebanese democratic institutions and the complete restoration of Lebanon's unity and stability.
>
> "The Council commends the efforts of the League of Arab States, in particular of the committee of Ministers for Foreign Affairs, under the leadership of the Emir of the State of Qatar, Sheikh Hamad bin Khalifa Al-Thani, the Prime Minister and Minister for Foreign Affairs of Qatar, Sheikh Hamad bin Jassim bin Jabr Al-Thani, and the Secretary-General of the League of Arab States, Mr. Amre Moussa, in helping Lebanese leaders to reach an agreement.
>
> "The Council welcomes the agreement to elect a President of the Republic, to establish a national unity Cabinet and to address Lebanon's electoral law, in accordance with the League of Arab States initiative, as well as the decision to continue the national dialogue on ways to reinforce the authority of the State over all its territory, in such a way as to guarantee the sovereignty and the safety of the State and the people of Lebanon. It welcomes the agreement to ban the use of weapons and violence as a means to settle disputes, irrespective of their nature and under any circumstances.
>
> "The Council calls for the implementation of this agreement in its entirety, in accordance with the League of Arab States initiative, and in conformity with the Taif agreement and all relevant Council resolutions and statements by its President on the situation in Lebanon.
>
> "The Council reaffirms its strong support for the territorial integrity, sovereignty, unity and political independence of Lebanon within its internationally recognized borders and under the sole and exclusive authority of the Government of Lebanon over all Lebanese territory."

[40] S/2008/307.

[41] S/2008/306.

[42] S/PRST/2008/17.

At its 5901st meeting, on 2 June 2008, the Council decided to invite the representative of Lebanon to participate, without vote, in the discussion of the item entitled:

"The situation in the Middle East

"Letter dated 16 May 2008 from the Secretary-General addressed to the President of the Security Council (S/2008/334)".

Resolution 1815 (2008)
of 2 June 2008

The Security Council,

Recalling all its previous relevant resolutions, in particular resolutions 1595 (2005) of 7 April 2005, 1636 (2005) of 31 October 2005, 1644 (2005) of 15 December 2005, 1664 (2006) of 29 March 2006, 1686 (2006) of 15 June 2006, 1748 (2007) of 27 March 2007, 1757 (2007) of 30 May 2007, 1373 (2001) of 28 September 2001 and 1566 (2004) of 8 October 2004,

Reaffirming its strongest condemnation of the terrorist bombing of 14 February 2005, as well as of all other attacks in Lebanon since October 2004, and reaffirming also that those involved in these attacks must be held accountable for their crimes,

Having examined the report of the International Independent Investigation Commission ("the Commission"), submitted pursuant to resolutions 1595 (2005), 1636 (2005), 1644 (2005), 1686 (2006) and 1748 (2007),[43]

Commending the Commission for its outstanding professional work and the progress it continues to achieve under difficult circumstances in assisting the Lebanese authorities in their investigation into all aspects of this terrorist act,

Taking note of the request to extend the mandate of the Commission, expressed by the Commissioner in his briefing to the Security Council on 8 April 2008, in order to ensure stability and continuity in the investigative process,[44]

Taking note also of the letter dated 8 May 2008 from the Prime Minister of Lebanon to the Secretary-General expressing the hope that the Council will respond favourably to the request of the Commissioner by extending the mandate of the Commission until 31 December 2008, and noting the concurrent recommendation of the Secretary-General in this regard,[45]

Willing to continue to assist Lebanon in the search for the truth and in holding all those involved in this terrorist attack accountable,

1. *Welcomes* the report of the Commission;[43]

2. *Decides* to extend the mandate of the Commission until 31 December 2008, and declares its readiness to terminate the mandate earlier if the Commission reports that it has completed the implementation of its mandate;

3. *Requests* the Commission to report to the Security Council on the progress of the investigation in six months at the latest, and at any other earlier time if it deems it appropriate;

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 5901st meeting.

[43] See S/2008/210.

[44] See S/PV.5863.

[45] See S/2008/334.

Decision

At its 5926th meeting, on 27 June 2008, the Security Council considered the item entitled:

"The situation in the Middle East

"Report of the Secretary-General on the United Nations Disengagement Observer Force (S/2008/390)".

Resolution 1821 (2008)
of 27 June 2008

The Security Council,

Having considered the report of the Secretary-General of 16 June 2008 on the United Nations Disengagement Observer Force,[46] and reaffirming its resolution 1308 (2000) of 17 July 2000,

1. *Calls upon* the parties concerned to implement immediately its resolution 338 (1973) of 22 October 1973;

2. *Welcomes* the efforts being undertaken by the United Nations Disengagement Observer Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take preventive and disciplinary action to ensure that such acts are properly investigated and punished in cases involving their personnel;

3. *Decides* to renew the mandate of the Force for a period of six months, that is, until 31 December 2008;

4. *Requests* the Secretary-General to submit, at the end of this period, a report on developments in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 5926th meeting.

Decision

Also at the 5926th meeting, following the adoption of resolution 1821 (2008), the President of the Security Council made the following statement on behalf of the Council:[47]

"In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:

'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[46] states in paragraph 11: "... the situation in the Middle East is tense and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached". That statement of the Secretary-General reflects the view of the Security Council.' "

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[46] S/2008/390.

[47] S/PRST/2008/25.

THE SITUATION IN CYPRUS[48]

Decision

At its 5803rd meeting, on 14 December 2007, the Security Council considered the item entitled:

"The situation in Cyprus

"Report of the Secretary-General on the United Nations operation in Cyprus (S/2007/699 and Corr.1)".

Resolution 1789 (2007) of 14 December 2007

The Security Council,

Welcoming the analysis of developments on the ground over the last six months, contained in the report of the Secretary-General of 3 December 2007 on the United Nations operation in Cyprus, in accordance with his mandate,[49]

Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions on the island, it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 December 2007,

Echoing the Secretary-General's firm belief that the responsibility of finding a solution lies first and foremost with the Cypriots themselves, and that the upcoming year offers an important window of opportunity to make decisive progress, which must be grasped by all parties, in the search for a comprehensive solution, and noting the primary role of the United Nations in assisting the parties to bring the Cyprus conflict and division of the island to a comprehensive and durable settlement,

Taking note of the assessment of the Secretary-General that the security situation on the island and along the Green Line remains generally stable, welcoming the decrease in the overall number of incidents involving the two sides, and urging both sides to avoid any action which could lead to an increase in tension,

Underlining that activity in the buffer zone, in particular proposals for large-scale commercial projects, which are not compatible with returning to normal conditions as expressed in the mandate of the Force, should not be at the expense of stability and security, and reiterating the Secretary-General's firm belief that the situation in the buffer zone would be improved if both sides accepted the 1989 aide-memoire used by the United Nations,

Welcoming the principles and decisions enshrined in the agreement of 8 July 2006 stressing that a comprehensive settlement based on a bicommunal, bizonal federation and political equality, as set out in the relevant Security Council resolutions, is both desirable and possible and should not be further delayed,[50]

Deploring the continued failure to date to implement the agreement of 8 July 2006, and urging the leaders of both communities to act to start the process without delay in order to prepare the ground for fully fledged negotiations leading to a comprehensive and durable settlement,

Welcoming the agreement to allow European Union funds to support demining activities, and urging the rapid finalization of the protocol between the relevant parties governing the remaining demining activities in order to complete demining of the buffer zone,

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[48] Resolutions or decisions on this question were first adopted by the Security Council in 1963.

[49] S/2007/699 and Corr.1.

[50] See S/2006/572.

Welcoming also the progress and continuation of the important activities of the Committee on Missing Persons in Cyprus, and expressing the hope that this process will promote reconciliation between the communities,

Welcoming further the proposed confidence-building measures advanced by both sides, as a means of creating greater trust between the two communities, and encouraging their early implementation, encouraging also progress on measures such as the opening of additional crossing points including, but not limited to, at Ledra Street, taking into account the arrangements already in place at existing crossing points, and reaffirming the importance of continued crossing of the Green Line by Cypriots,

Welcoming all efforts to promote bicommunal contacts and events, including on the part of all United Nations bodies on the island, and urging the two sides to promote the active engagement of civil society and the encouragement of cooperation between economic and commercial bodies and to remove all obstacles to such contacts,

Agreeing that an active and flourishing civil society is essential to the political process, and expressing concern, in this respect, that opportunities for constructive public debate about the future of the island, within and between the communities, are becoming fewer, and that this atmosphere is hampering, in particular, efforts to foster bicommunal activities intended to benefit all Cypriots and to promote reconciliation and build trust in order to facilitate a comprehensive settlement,

Reaffirming the importance of the Secretary-General continuing to keep the operations of the Force under close review while continuing to take into account developments on the ground and the views of the parties, and reverting to the Council with recommendations, as appropriate, for further adjustments to the mandate, force levels and concept of operation of the Force as soon as warranted,

Welcoming the steps taken by Cyprus to address the living conditions of many troops of the Force,

Echoing the Secretary-General's gratitude to the Government of Cyprus and the Government of Greece for their voluntary contributions to the funding of the Force, and his request for further voluntary contributions from other countries and organizations,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Welcomes* the analysis of developments on the ground over the last six months contained in the report of the Secretary-General, in accordance with his mandate;[49]

2. *Reaffirms* that the status quo is unacceptable, that time is not on the side of a settlement, and that negotiations to reunify the island have been at an impasse for too long;

3. *Expresses its full support* for the 8 July process, notes with deep concern the lack of any progress, calls upon all parties immediately to engage constructively with the United Nations efforts, as described in Under-Secretary-General Gambari's letter of 15 November 2006, and to cease mutual recriminations, and urges all parties to show flexibility and political will over the coming months to make measurable progress which will allow fully fledged negotiations to begin;

4. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

5. *Expresses its full support* for the United Nations Peacekeeping Force in Cyprus, and decides to extend its mandate for a further period ending 15 June 2008;

6. *Calls upon* both sides to continue to engage, as a matter of urgency and while respecting the mandate of the Force, in consultations with the Force on the demarcation of the

buffer zone, in particular in relation to the Ledra Street crossing point, and on the United Nations 1989 aide-memoire, with a view to reaching early agreement on outstanding issues;

7. *Calls upon* the Turkish Cypriot side and Turkish forces to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

8. *Requests* the Secretary-General to submit a report on the implementation of the present resolution by 1 June 2008;

9. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Security Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

10. *Decides* to remain seized of the matter.

Adopted unanimously at the 5803rd meeting.

Decisions

On 14 April 2008, the President of the Security Council addressed the following letter to the Secretary-General:[51]

> "I have the honour to inform you that your letter dated 9 April 2008 concerning your intention to appoint Mr. Tayé-Brook Zerihoun, of Ethiopia, as your Special Representative in Cyprus and Head of the United Nations Peacekeeping Force in Cyprus[52] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 14 April 2008, the President of the Security Council addressed the following letter to the Secretary-General:[53]

> "I have the honour to inform you that your letter dated 9 April 2008 concerning your intention to appoint Rear Admiral Mario Sánchez Debernardi, of Peru, to the post of Force Commander of the United Nations Peacekeeping Force in Cyprus[54] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5869th meeting, on 17 April 2008, the Council considered the item entitled "The situation in Cyprus".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[55]

> "The Security Council warmly welcomes the agreement reached on 21 March 2008 by the Greek Cypriot and Turkish Cypriot leaders[56] and commends them for the political leadership they have shown.

[51] S/2008/245.

[52] S/2008/244.

[53] S/2008/247.

[54] S/2008/246.

[55] S/PRST/2008/9.

[56] See S/2008/353, annex II.

"The Council is encouraged by the launch of the working groups and technical committees that will prepare the ground for the start of fully fledged negotiations, in a spirit of good faith, on a comprehensive and durable settlement under the auspices of the Secretary-General's good offices mission. The Council looks forward to the results of this preparatory process within the three-month timeline agreed by the two leaders, which, it is hoped, will build trust, momentum and a sense of common interest in the search for a just and lasting solution.

"The Council further welcomes the opening of the Ledra Street crossing as an indication of political will to tackle issues that have obstructed progress and an important signal that both sides seek to improve the lives of all Cypriots. The Council looks forward to further such confidence-building measures.

"The Council reaffirms its commitment to the reunification of Cyprus based on a bicommunal, bizonal federation and political equality, as set out in the relevant Council resolutions, and its willingness to support the efforts of the Secretary-General to this end. In this context, the Council welcomes the readiness of the Secretary-General to assist the parties in Cyprus, and further welcomes the prospect of the appointment, after the completion of the preparatory period and based on progress, of a Special Adviser to facilitate movement towards a comprehensive settlement.

"The Council welcomes the appointment of Mr. Taye-Brook Zerihoun as the new Special Representative of the Secretary-General in Cyprus, and expresses its appreciation for the work of the previous Special Representative, Mr. Michael Møller."

At its 5911th meeting, on 13 June 2008, the Council considered the item entitled:

"The situation in Cyprus

"Report of the Secretary-General on the United Nations operation in Cyprus (S/2008/353)".

Resolution 1818 (2008)
of 13 June 2008

The Security Council,

Welcoming the report of the Secretary-General of 2 June 2008 on the United Nations operation in Cyprus,[57]

Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions on the island, it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 15 June 2008,

Echoing the Secretary-General's firm belief that the responsibility of finding a solution lies first and foremost with the Cypriots themselves, and that there now exists an important window of opportunity to make decisive progress, which must be fully utilized by all parties in the search for a comprehensive solution, and noting the primary role of the United Nations in assisting the parties to bring the Cyprus conflict and division of the island to a comprehensive and durable settlement,

Welcoming the agreement of 21 March 2008[56] and the joint statement of 23 May 2008,[58] which, inter alia, have demonstrated a renewed political willingness to support and engage fully and in good faith with the United Nations efforts, reaffirmed the commitment of the leaders to a bicommunal, bizonal federation with political equality, as set out in the relevant Security Council resolutions, and to consider further civilian and military confidence-building measures,

[57] S/2008/353.

[58] Ibid., annex III.

Welcoming also the opening of the Ledra Street crossing, which has helped to foster greater trust and interaction between the two communities, reaffirming the importance of continued crossings of the Green Line by Cypriots, and encouraging the opening of other crossing points,

Welcoming further the intention of the Secretary-General to appoint a Special Adviser at the appropriate time and to keep the Council informed of further developments and progress,

Taking note of the assessment of the Secretary-General that the security situation on the island and along the Green Line remains generally stable, welcoming the decrease in the overall number of incidents involving the two sides, and urging both sides to avoid any action, including restrictions on the movements of the Force, which could lead to an increase in tension,

Welcoming the coordination arrangements agreed with the United Nations to address unauthorized construction within the buffer zone, including large-scale commercial projects, and echoing the Secretary-General's firm belief that the situation in the buffer zone would be improved if both sides accepted the 1989 aide-memoire used by the United Nations,

Welcoming also the agreement with the Turkish forces to proceed with demining activities, but urging that further guidelines be agreed to permit such activities to take place in all outstanding minefields, and noting with concern that funding for the Mine Action Centre beyond 2008 has not yet been secured but that this work will need to continue beyond that period,

Welcoming also the progress and continuation of the important activities of the Committee on Missing Persons in Cyprus, and expressing the hope that this process will promote reconciliation between the communities,

Agreeing that an active and flourishing civil society is essential to the political process, and welcoming all efforts to promote bicommunal contacts and events, including on the part of all United Nations bodies on the island, and urging the two sides to promote the active engagement of civil society and the encouragement of cooperation between economic and commercial bodies and to remove all obstacles to such contacts,

Reaffirming the importance of the Secretary-General continuing to keep the operations of the Force under close review while continuing to take into account developments on the ground and the views of the parties, and reverting to the Council with recommendations, as appropriate, for further adjustments to the mandate, force levels and concept of operation of the Force as soon as warranted,

Welcoming the appointment of Mr. Tayé-Brook Zerihoun as the new Special Representative of the Secretary-General in Cyprus, and echoing the Secretary-General's appreciation for the work of the previous Special Representative, Mr. Michael Møller,

Echoing the Secretary-General's gratitude to the Government of Cyprus and the Government of Greece for their voluntary contributions to the funding of the Force, and his request for further voluntary contributions from other countries and organizations,

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

1. *Welcomes* the analysis of developments on the ground over the last six months in the report of the Secretary-General;[57]

2. *Urges* the parties to build on the present momentum and continue their efforts to identify to the greatest possible extent areas of convergence and disagreement, while preparing options, where feasible, on the more sensitive elements, and to work to ensure that fully fledged negotiations can begin expeditiously and smoothly, in line with the agreement of 21 March 2008[56] and the joint statement of 23 May 2008;[58]

3. *Reaffirms* all its relevant resolutions on Cyprus, in particular resolution 1251 (1999) of 29 June 1999 and subsequent resolutions;

4. *Expresses its full support* for the United Nations Peacekeeping Force in Cyprus, and decides to extend its mandate for a further period ending 15 December 2008;

5. *Calls upon* both sides to continue to engage, as a matter of urgency and while respecting the mandate of the Force, in consultations with the Force on the demarcation of the buffer zone and on the United Nations 1989 aide-memoire, with a view to reaching early agreement on outstanding issues;

6. *Calls upon* the Turkish Cypriot side and Turkish forces to restore in Strovilia the military status quo which existed there prior to 30 June 2000;

7. *Requests* the Secretary-General to submit a report on the implementation of the present resolution by 1 December 2008 and to keep the Security Council updated on events as necessary;

8. *Welcomes* the efforts being undertaken by the Force to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

9. *Decides* to remain seized of the matter.

Adopted unanimously at the 5911th meeting.

Decision

On 14 July 2008, the President of the Security Council addressed the following letter to the Secretary-General:[59]

> "I have the honour to inform you that your letter dated 10 July 2008 concerning your intention to designate Mr. Alexander Downer, of Australia, as your Special Adviser on Cyprus[60] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

THE SITUATION CONCERNING WESTERN SAHARA[61]

Decisions

On 27 August 2007, the President of the Security Council addressed the following letter to the Secretary-General:[62]

> "I have the honour to inform you that your letter dated 22 August 2007, in which you stated your intention to appoint Major General Zhao Jingmin, of China, to the post of Force Commander of the United Nations Mission for the Referendum in Western Sahara,[63] has been brought to the attention of the members of the Security Council and that they have taken note of it."

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[59] S/2008/457.

[60] S/2008/456.

[61] Resolutions or decisions on this question were first adopted by the Security Council in 1975.

[62] S/2007/510.

[63] S/2007/509.

At its 5773rd meeting, on 31 October 2007, the Council decided to invite the representative of Spain to participate, without vote, in the discussion of the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/2007/619)".

Resolution 1783 (2007)
of 31 October 2007

The Security Council,

Recalling all its previous resolutions on Western Sahara,

Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy for Western Sahara,

Reaffirming its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect,

Reiterating its call upon the parties and States of the region to continue to cooperate fully with the United Nations and with each other to end the current impasse and to achieve progress towards a political solution,

Taking note of the proposal presented by Morocco to the Secretary-General on 11 April 2007,[64] and welcoming serious and credible Moroccan efforts to move the process forward towards resolution , and taking note also of the proposal presented by the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro to the Secretary-General on 10 April 2007,[65]

Taking note also of the two rounds of negotiations held under the auspices of the Secretary-General, and welcoming the progress made by the parties to enter into direct negotiations,

Taking note further of the fact that the parties have agreed to continue the process of negotiations through United Nations-sponsored talks,

Having considered the report of the Secretary-General of 19 October 2007,[66]

1. *Reaffirms* the need for full respect of the military agreements reached with the United Nations Mission for the Referendum in Western Sahara with regard to the ceasefire;

2. *Calls upon* the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to engage in substantive negotiations, thus ensuring the implementation of its resolution 1754 (2007) of 30 April 2007 and the success of negotiations;

3. *Also calls upon* the parties to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and the developments of the last months, with a view to achieving a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and notes the role and responsibilities of the parties in this respect;

[64] See S/2007/206, annex.

[65] S/2007/210, annex.

[66] S/2007/619.

4. *Invites* Member States to lend appropriate assistance to these talks;

5. *Requests* the Secretary-General to provide a report by 31 January 2008 on the status and progress of these negotiations under his auspices, and expresses its intention to meet to receive and discuss this report;

6. *Also requests* the Secretary-General to provide a report on the situation in Western Sahara well before the end of the mandate period;

7. *Calls upon* Member States to consider voluntary contributions to fund confidence-building measures that allow for increased contact between separated family members, especially family unification visits, as well as for other confidence-building measures that may be agreed between the parties;

8. *Decides* to extend the mandate of the Mission until 30 April 2008;

9. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Security Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

10. *Decides* to remain seized of the matter.

Adopted unanimously at the 5773rd meeting.

Decision

At its 5884th meeting, on 30 April 2008, the Security Council decided to invite the representative of Spain to participate, without vote, in the discussion of the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/2008/251)".

Resolution 1813 (2008)
of 30 April 2008

The Security Council,

Recalling all its previous resolutions on Western Sahara,

Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy for Western Sahara to implement resolutions 1754 (2007) of 30 April 2007 and 1783 (2007) of 31 October 2007,

Reaffirming its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect,

Reiterating its call upon the parties and States of the region to continue to cooperate fully with the United Nations and with each other to end the current impasse and to achieve progress towards a political solution,

Taking note of the proposal presented by Morocco to the Secretary-General on 11 April 2007,[64] and welcoming serious and credible Moroccan efforts to move the process forward towards resolution, and taking note also of the proposal presented by the Frente Popular para la Liberación de Saguía el-Hamra y de Río de Oro to the Secretary-General on 10 April 2007,[65]

Taking note also of the four rounds of negotiations held under the auspices of the Secretary-General, and welcoming the progress made by the parties to enter into direct negotiations,

Welcoming the agreement of the parties, expressed in the communiqué of the Personal Envoy of the Secretary-General of 18 March 2008,[67] to explore the establishment of family visits by land, which would be in addition to the existing programme by air, and encouraging them to do so in cooperation with the United Nations High Commissioner for Refugees,

Welcoming also the commitment of the parties to continue the process of negotiations through United Nations-sponsored talks,

Noting the view of the Secretary-General that the consolidation of the status quo is not an acceptable outcome of the current process of negotiations, and noting further that progress in the negotiations will have a positive impact on the quality of life of the people of Western Sahara in all its aspects,

Having considered the report of the Secretary-General of 14 April 2008,[68]

1. *Reaffirms* the need for full respect of the military agreements reached with the United Nations Mission for the Referendum in Western Sahara with regard to the ceasefire;

2. *Endorses* the report's recommendation that realism and a spirit of compromise by the parties are essential to maintain the momentum of the process of negotiations;

3. *Calls upon* the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations, thus ensuring the implementation of resolutions 1754 (2007) and 1783 (2007) and the success of negotiations, and affirms its strong support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context;

4. *Also calls upon* the parties to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting and mutually acceptable political solution which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and notes the role and responsibilities of the parties in this respect;

5. *Invites* Member States to lend appropriate assistance to these talks;

6. *Requests* the Secretary-General to keep the Security Council informed on a regular basis on the status and progress of these negotiations under his auspices, and expresses its intention to meet to receive and discuss his report;

7. *Also requests* the Secretary-General to provide a report on the situation in Western Sahara well before the end of the mandate period;

8. *Urges* Member States to provide voluntary contributions to fund confidence-building measures that allow for increased contact between separated family members, especially family visits, as well as for other confidence-building measures that may be agreed between the parties;

9. *Decides* to extend the mandate of the Mission until 30 April 2009;

10. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in the Mission with the United Nations zero-tolerance policy on sexual

[67] S/2008/251, annex I.

[68] S/2008/251.

exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

11. *Decides* to remain seized of the matter.

Adopted unanimously at the 5884th meeting.

THE SITUATION IN TIMOR-LESTE[69]

Decisions

At its 5739th meeting, on 10 September 2007, the Security Council decided to invite the representative of Timor-Leste (Minister for Foreign Affairs and Cooperation) to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

"Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (S/2007/513)".

At its 5740th meeting, on 10 September 2007, the Council decided to invite the representative of Timor-Leste to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

"Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (S/2007/513)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[70]

"The Security Council welcomes the formation of the new Government in Timor-Leste resulting from the legislative elections of 30 June 2007. It also congratulates the new Cabinet of Timor-Leste, led by Prime Minister Gusmão, on its appointment. The Council further congratulates the people of Timor-Leste for demonstrating their strong commitment to peace and democracy. It expresses its readiness to work with the new Government of Timor-Leste in achieving its goals and in tackling critical challenges, including in its development efforts, facing the country.

"The Council expresses its appreciation for the role played by the National Commission on Elections, the Technical Secretariat for Electoral Administration and the United Nations Integrated Mission in Timor-Leste during the presidential and parliamentary elections in Timor-Leste. The Council commends the invaluable support provided for the preparation and holding of the elections by regional and international partners. It also expresses its appreciation for the role played by domestic and international electoral observers.

"The Council emphasizes the need for all parties to resolve any disputes through exclusively peaceful channels and within the framework of democratic institutions and calls upon the people of Timor-Leste to refrain from violence and work together in order to ensure security.

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[69] Resolutions or decisions on this question were first adopted by the Security Council in 1975.

[70] S/PRST/2007/33.

"The Council calls upon the Government, Parliament, political parties and the people of Timor-Leste to work together and engage in political dialogue and consolidate peace, democracy, the rule of law, sustainable social and economic development and national reconciliation in the country. The Council reaffirms the need for justice and accountability, and underlines the importance of the implementation of the recommendations contained in the report of the Independent Special Commission of Inquiry for Timor-Leste of 2 October 2006.[71]

"The Council welcomes the report of the Secretary-General on the work of the Mission.[72] It also encourages the Mission to continue to cooperate and coordinate with the United Nations agencies, funds and programmes as well as all relevant partners to support the Government of Timor-Leste in implementing a national development plan and addressing challenges facing the country, in particular security sector reform, strengthening of the justice sector, the promotion of democratic governance, resolving the issue of internally displaced persons and the pursuit of sustainable development.

"The Council reaffirms its full support for the Mission in its work, and appreciates the continued efforts by the Secretary-General and his Special Representative for Timor-Leste to ensure the full implementation of the mandate of the Mission."

On 31 October 2007, the President of the Security Council addressed the following letter to the Secretary-General:[73]

"I have the honour to inform you that the members of the Security Council have decided to send a mission to Timor-Leste from 24 to 30 November 2007. They have agreed on the terms of reference of the mission (see annex).

"Following consultations with the members, it has been agreed that the composition of the mission is as follows:

"South Africa (Ambassador Dumisani Kumalo, head of mission)

"China (Ambassador Liu Zhenmin)

"Congo (Mr. Luc Joseph Okio)

"Indonesia (Mr. Muhammad Anshor)

"Russian Federation (Ms. Diana Eloeva)

"Slovakia (Ambassador Peter Burian)

"United States of America (Ambassador Jackie Wolcott)

"I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

"**Annex**

"**Security Council mission to Timor-Leste: terms of reference**

"1. To reaffirm the commitment of the Security Council to the sovereignty, independence, territorial integrity and national unity of Timor-Leste and the promotion of long-term stability in the country.

"2. To commend the people of Timor-Leste for their successful elections and efforts aimed at consolidating peace and democracy in their country.

[71] See S/2006/822, annex.

[72] S/2007/513.

[73] S/2007/647.

"3. To encourage the Government, the Parliament, the political parties and the people of Timor-Leste to continue to work together and engage in political dialogue and consolidate peace, democracy, the rule of law, security sector reform, sustainable social and economic development and national reconciliation in the country.

"4. To reaffirm the commitment of the Council to assist the Timorese people to consolidate peace, democratic governance and the rule of law, in the post-electoral period in Timor-Leste, to support and encourage efforts to ensure accountability and justice and the implementation of United Nations recommendations in that regard, and to stress that the mandate of the United Nations Integrated Mission in Timor-Leste set out in Council resolution 1745 (2007) constitutes a significant contribution by the United Nations to this endeavour.

"5. To express the full support of the Council for the Mission and for the United Nations presence in Timor-Leste, and to assess the progress made on the ground in the implementation of the mandate of the Mission.

"6. To discuss and exchange views with the Timorese authorities on ways and means to assist the country in developing capacities necessary to build on security and democratic and other gains achieved thus far.

"7. To underscore the long-term commitment of the international community to stabilization and development in Timor-Leste, and the need for continuing support of bilateral and international partners to Timorese efforts towards self-reliance."

At its 5833rd meeting, on 11 February 2008, the Council decided to invite the representative of Timor-Leste to participate, without vote, in the discussion of the item entitled "The situation in Timor-Leste".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[74]

"The Security Council condemns in the strongest possible terms the attempt on the life of the President of Timor-Leste, Mr. José Ramos-Horta, during an attack at his residence on 11 February 2008, and wishes him a speedy recovery. The Council also condemns the attack on the convoy of the Prime Minister of Timor-Leste, Mr. Kay Rala Xanana Gusmão. These represent an attack on the legitimate institutions of Timor-Leste.

"The Council calls upon the Government of Timor-Leste to bring to justice those responsible for these heinous acts, and urges all parties in Timor-Leste to cooperate actively with the authorities in this regard.

"The Council further calls upon all people in Timor-Leste to remain calm, exercise restraint and maintain stability in the country. The Council urges all parties in Timor-Leste to resolve any disputes through political and peaceful means within the framework of its democratic institutions.

"The Council reaffirms its full support to the Government and people of Timor-Leste in their continued efforts to strengthen democracy and ensure public security and maintain stability in their country.

"The Council expresses its full support for the work of the United Nations Integrated Mission in Timor-Leste and for the continued deployment of the international security forces in response to the requests of the Government of Timor-Leste.

"The Council requests the Secretary-General to report on developments in Timor-Leste, as necessary. The Council will continue to monitor closely the situation in Timor-Leste and will act, as appropriate."

[74] S/PRST/2008/5.

At its 5843rd meeting, on 21 February 2008, the Council decided to invite the representatives of Australia, Brazil, Japan, New Zealand, the Philippines, Portugal, Slovenia and Timor-Leste to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

"Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (S/2008/26)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 5844th meeting, on 25 February 2008, the Council decided to invite the representatives of Australia, New Zealand, Portugal and Timor-Leste to participate, without vote, in the discussion of the item entitled:

"The situation in Timor-Leste

"Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (S/2008/26)".

Resolution 1802 (2008)
of 25 February 2008

The Security Council,

Reaffirming all its previous resolutions and the statements by its President on the situation in Timor-Leste, in particular resolutions 1599 (2005) of 28 April 2005, 1677 (2006) of 12 May 2006, 1690 (2006) of 20 June 2006, 1703 (2006) of 18 August 2006, 1704 (2006) of 25 August 2006 and 1745 (2007) of 22 February 2007, and the statement of 11 February 2008,[74]

Welcoming the report of the Secretary-General of 17 January 2008,[75] and recalling the report of the Security Council mission to Timor-Leste which took place from 24 to 30 November 2007,[76]

Reaffirming its full commitment to the sovereignty, independence, territorial integrity and national unity of Timor-Leste and the promotion of long-term stability in the country,

Welcoming the successful conclusion of the presidential and parliamentary elections in 2007 and the formation of a democratically elected Government and institutions in Timor-Leste,

Urging the Government and people of Timor-Leste to continue their efforts to resolve their political challenges, taking note with appreciation the determination of the Government to restore stability and normalcy while reaffirming their commitment to democracy and the rule of law, and further taking note with appreciation of the commitment of the opposition to support peace and national stability,

Noting that the political, security, social and humanitarian situation in Timor-Leste remains fragile,

Reiterating its call upon the leadership and other stakeholders in Timor-Leste to pursue peaceful dialogue and to avoid violent means to resolve differences,

Reaffirming the need for respect for the independence of the judiciary and its responsibility, welcoming the conviction of the leaders of Timor-Leste on the need for justice and their determination to act against impunity, and in this regard acknowledging the serious resource constraints of the judicial system, and encouraging the leadership of Timor-Leste to continue

[75] S/2008/26.

[76] S/2007/711.

efforts to establish accountability for serious criminal offences committed during the 2006 crisis as recommended by the Independent Special Commission of Inquiry for Timor-Leste,[71]

Recalling its previous statements on the need to implement fully the "Arrangement on the Restoration and Maintenance of Public Security in Timor-Leste and Assistance to the Reform, Restructuring and Rebuilding of the Timorese National Police (PNTL) and the Ministry of the Interior", concluded between the Government of Timor-Leste and the United Nations Integrated Mission in Timor-Leste on 1 December 2006, and in this regard stressing the need for constructive engagement between Mission police and the national police in view of developing the capacity and capability of the national police,

Expressing its full support for the role of the international security forces in assisting the Government of Timor-Leste and the Mission in the restoration and maintenance of law and stability, in response to the requests of the Government,

Recalling that, while the manifestations of the current challenges in Timor-Leste are political and institutional in nature, poverty and its associated deprivations also contributed to these challenges, paying tribute to Timor-Leste's bilateral and multilateral partners for their invaluable assistance, particularly with regard to institutional capacity-building and social and economic development, and recognizing the progress being made in the development of many aspects of governance in Timor-Leste,

Reaffirming its resolution 1325 (2000) of 31 October 2000 on women and peace and security and its resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel,

Recognizing the important role that the Mission continues to play in promoting peace, stability and development in Timor-Leste, and expressing its appreciation for the efforts of the Mission and the United Nations country team, under the leadership of the Special Representative of the Secretary-General for Timor-Leste,

1. *Decides* to extend the mandate of the United Nations Integrated Mission in Timor-Leste until 26 February 2009 at the current authorized levels;

2. *Condemns in the strongest possible terms* the attacks on the President and Prime Minister of Timor-Leste on 11 February 2008 and all attempts to destabilize the country, noting that these heinous acts represent an attack on the legitimate institutions of Timor-Leste, and welcomes the swift and constructive reaction by the neighbouring countries;

3. *Calls upon* the Government of Timor-Leste to bring to justice those responsible for these heinous acts, and urges all parties to cooperate actively with the authorities in this regard;

4. *Calls upon* the people of Timor-Leste to remain calm, exercise restraint and maintain stability in the country;

5. *Urges* all parties in Timor-Leste, in particular political leaders, to continue to work together and engage in political dialogue and consolidate peace, democracy, the rule of law, sustainable social and economic development and national reconciliation in the country, and expresses its full support for the continued efforts of the Special Representative of the Secretary-General for Timor-Leste aimed at addressing critical political and security-related issues facing the country through inclusive and collaborative processes, including the High-level Coordination Committee and the Trilateral Coordination Forum;

6. *Reaffirms* the importance of ongoing efforts to reach accountability and justice, and underlines the importance of the implementation by the Government of Timor-Leste of the recommendations contained in the report of the Independent Special Commission of Inquiry for Timor-Leste of 2 October 2006;[71]

7. *Emphasizes* the need for sustained support of the international community to Timor-Leste to develop and strengthen its institutions and further build capacities in the justice sector;

8. *Requests* the Mission to continue its efforts, adjusting them as necessary, to enhance the effectiveness of the judiciary system and assist the Government of Timor-Leste in carrying out the proceedings recommended by the Commission of Inquiry;

9. *Calls upon* the Mission to support the Government of Timor-Leste in its efforts to coordinate donor cooperation in areas of institutional capacity-building;

10. *Further calls upon* the Government of Timor-Leste, assisted by the Mission, to continue working on a comprehensive review of the future role and needs of the security sector, including the Ministry of the Interior, the National Police of Timor-Leste, the Ministry of Defence and the Falintil-Forças Armadas de Defesa de Timor-Leste; given the sector's importance to long-term stability, requests the Mission to intensify its efforts in support of the review in close coordination with the Government and relevant donors, and welcomes the establishment in August 2007 of a three-tier coordination mechanism to address the broader challenges in the security sector;

11. *Requests* the Mission, working with partners, to intensify its efforts to assist with further training, mentoring, institutional development and strengthening of the National Police of Timor-Leste with a view to enhancing its effectiveness, including with respect to addressing the special needs of women, while continuing to ensure, through the presence of the police component of the Mission, the restoration and maintenance of public security in Timor-Leste through the provision of support to the National Police, which includes interim law enforcement and public security until the National Police is reconstituted;

12. *Welcomes* the intention of the Secretary-General to send an expert mission to the Mission in the first quarter of 2008 to conduct a thorough assessment of the requirements of the National Police of Timor-Leste as well as possible adjustments needed to the Mission's police skill sets, and requests him to inform the Security Council of the finding of the expert mission;

13. *Takes note* of the establishment of the Timor-Leste National Recovery Strategy aimed at addressing the socio-economic challenges facing the country, including the issue of internally displaced persons and the promotion of sustainable livelihoods, and in this regard calls upon the Mission to continue to cooperate and coordinate with the United Nations agencies, funds and programmes as well as all relevant partners to support the Government of Timor-Leste and relevant institutions in designing poverty reduction and economic growth policies;

14. *Requests* the Mission fully to take into account gender considerations, as set out in resolution 1325 (2000) as a cross-cutting issue throughout its mandate, and further requests the Secretary-General to include in his reporting to the Council progress on gender mainstreaming throughout the Mission and all other aspects relating to the situation of women and girls, especially in relation to the need to protect them from gender-based violence, detailing special measures proposed and taken to protect women and girls from such violence;

15. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges those countries contributing troops and police to take appropriate preventive action and to ensure full accountability in cases of such conduct involving their personnel;

16. *Also requests* the Secretary-General to keep the Council regularly informed of the developments on the ground and on the implementation of the present resolution, including, in particular, progress on the efforts of his Special Representative in support of dialogue and reconciliation, and to submit to the Council, no later than 1 August 2008, a report which includes possible adjustments in the mandate and strength of the Mission, and further requests the Secretary-General, in consultation with the Government of Timor-Leste, to develop a medium-term strategy with appropriate benchmarks to measure and track progress, and to submit further reports as and when he considers appropriate;

17. *Decides* to remain seized of the matter.

Adopted unanimously at the 5844th meeting.

THE SITUATION BETWEEN IRAQ AND KUWAIT[77]

Decisions

On 26 March 2008, the President of the Security Council addressed the following letter to the Secretary-General:[78]

> "I have the honour to respond to your letter of 11 March 2008,[79] in which you referred to Security Council resolution 1284 (1999), by which the mandate for the High-level Coordinator for missing Kuwaitis and third-country citizens and missing Kuwaiti property was established, and to related resolutions 687 (1991) and 706 (1991).
>
> "Members of the Council reiterate their continuing support for the important work of the High-level Coordinator.
>
> "I wish to inform you that the Council has decided to earmark US$ 225,000 from the operating reserves and fund balance of the 2.2 per cent part of the Escrow Account intended for administration and operational costs to finance the continuation of the activities of the High-level Coordinator for a period of 12 months from the date of the appointment of the new High-level Coordinator.
>
> "The Council requests a comprehensive report, 12 months after the appointment, to include an update on progress during that period, as well as an assessment of the progress that might be achieved, including the conditions that would be necessary and a timescale for completion of the mandate."

On 11 April 2008, the President of the Security Council addressed the following letter to the Secretary-General:[80]

> "I have the honour to inform you that your letter dated 8 April 2008 concerning the appointment of Mr. Gennady P. Tarasov, of the Russian Federation, as your High-level Coordinator pursuant to paragraph 14 of resolution 1284 (1999)[81] has been brought to the attention of the members of the Security Council. They take note of the appointment indicated in your letter."

THE SITUATION IN LIBERIA[82]

Decision

At its 5745th meeting, on 20 September 2007, the Security Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

> "The situation in Liberia
>
> > "Fifteenth progress report of the Secretary-General on the United Nations Mission in Liberia (S/2007/479)".

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[77] Resolutions or decisions on this question were first adopted by the Security Council in 1990.

[78] S/2008/206.

[79] S/2008/205.

[80] S/2008/239.

[81] S/2008/238.

[82] Resolutions or decisions on this question were first adopted by the Security Council in 1991.

Resolution 1777 (2007) of 20 September 2007

The Security Council,

Recalling its resolutions and the statements by its President concerning the situation in Liberia and the subregion, in particular resolutions 1509 (2003) of 19 September 2003, 1626 (2005) of 19 September 2005, 1712 (2006) of 29 September 2006 and 1750 (2007) of 30 March 2007,

Welcoming the report of the Secretary-General of 8 August 2007,[83]

Further welcoming the continuing efforts of the Government of Liberia to improve governance and combat corruption, as well as the important steps it has taken to regain and consolidate Government control over Liberia's natural resources,

Noting the progress made in rebuilding, equipping and deploying the Liberian National Police and beginning the restructuring of the Armed Forces of Liberia, and in developing a national security architecture, and encouraging the Government of Liberia, in cooperation with the international community, to expedite its efforts in these fields,

Expressing its appreciation for the continuing support of the international community, the Economic Community of West African States and the African Union,

Commending the work of the United Nations Mission in Liberia, under the leadership of the Special Representative of the Secretary-General for Liberia, for its continuing and significant contribution to maintaining peace and stability in Liberia, and welcoming the close cooperation between the Mission and the United Nations Operation in Côte d'Ivoire, as well as with neighbouring Governments, in coordinating security activities in the border areas in the subregion,

Noting with appreciation the substantial progress made to date in the reintegration of ex-combatants, and recognizing that there continues to be a need for formal sector employment,

Welcoming the progress achieved on the broad benchmarks laid down in the report of the Secretary-General of 12 September 2006,[84] welcoming the continuing efforts of the Mission to promote and protect the rights of women, and calling upon Liberian authorities to continue to cooperate with the United Nations country team and civil society in order to achieve further progress in these areas and, in particular, to combat gender-based violence, sexual exploitation and abuse,

Recognizing the significant challenges that remain in the consolidation of Liberia's post-conflict transition, including the consolidation of State authority, massive development and reconstruction needs, the reform of the judiciary, the extension of the rule of law throughout the country, and the further development of the Liberian security forces and security architecture,

Reiterating the continuing need for support by the Mission for the security of the Special Court for Sierra Leone,

Determining that the situation in Liberia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the mandate of the United Nations Mission in Liberia shall be extended until 30 September 2008;

[83] S/2007/479.

[84] S/2006/743.

2. *Reaffirms its intention* to authorize the Secretary-General to redeploy troops, as may be needed, between the Mission and the United Nations Operation in Côte d'Ivoire on a temporary basis in accordance with the provisions of resolution 1609 (2005) of 24 June 2005;

3. *Endorses* the recommendation of the Secretary-General for a reduction of 2,450 in the number of personnel deployed as part of the military component of the Mission during the period from October 2007 to September 2008;

4. *Also endorses* the recommendation of the Secretary-General for a reduction of 498 in the number of officers deployed as part of the police component of the Mission during the period from April 2008 to December 2010;

5. *Requests* the Secretary-General to monitor progress on the core benchmarks detailed in paragraph 66 of his report of 8 August 2007[83] and any subsequent refinements of the benchmarks that may be recommended by him or by his Special Representative, to report on that progress to the Security Council by a date six months following the date of adoption of the present resolution and, in view of the extent of that progress, to recommend to the Council no later than 15 August 2008 any further reductions in the military component of the Mission and to confirm, as appropriate, his recommendation for reduction in the police component of the Mission, provided that there is sufficient progress in training of the police;

6. *Expresses its intention* to review by 30 September 2008 the recommendations of the Secretary-General for further reductions in the Mission, in the context of the security situation in Liberia and the subregion;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 5745th meeting.

Decisions

On 19 October 2007, the President of the Security Council addressed the following letter to the Secretary-General:[85]

> "I have the honour to inform you that your letter dated 17 October 2007 concerning your intention to appoint Ms. Ellen Margrethe Løj, of Denmark, as your Special Representative for Liberia, Mr. Alan Doss, of the United Kingdom of Great Britain and Northern Ireland, as your Special Representative for the Democratic Republic of the Congo and Mr. Choi Young-Jin, of the Republic of Korea, as your Special Representative for Côte d'Ivoire[86] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5810th meeting, on 19 December 2007, the Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

> "Letter dated 5 December 2007 from the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council (S/2007/689)".

Resolution 1792 (2007)
of 19 December 2007

The Security Council,

Recalling its previous resolutions and the statements by its President on the situation in Liberia and West Africa,

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[85] S/2007/623.

[86] S/2007/622.

Welcoming the sustained progress made by the Government of Liberia since January 2006 in rebuilding Liberia for the benefit of all Liberians, with the support of the international community,

Recalling its decision not to renew the measures in paragraph 10 of resolution 1521 (2003) of 22 December 2003 regarding round logs and timber products originating in Liberia, and stressing that Liberia's progress in the timber sector must continue with the effective implementation and enforcement of the National Forestry Reform Law signed into law on 5 October 2006, including the resolution of land and tenure rights, the conservation and protection of biodiversity and the process for the awarding of contracts for commercial forestry operations,

Recalling also its decision to terminate the measures in paragraph 6 of resolution 1521 (2003) regarding diamonds,

Welcoming the participation of the Government of Liberia in the Kimberley Process Certification Scheme,[87] noting the implementation by Liberia of the necessary internal controls and other requirements of the Kimberley Process, and calling upon the Government to continue to work diligently to ensure the effectiveness of these controls,

Stressing the continuing importance of the United Nations Mission in Liberia in improving security throughout Liberia and helping the Government of Liberia to establish its authority throughout the country, particularly in the diamond- and timber-producing regions and border areas,

Taking note of the report of the Panel of Experts on Liberia, including on the issues of diamonds, timber, targeted sanctions, and arms and security, submitted on 5 December 2007,[88]

Having reviewed the measures imposed by paragraphs 2 and 4 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004) of 12 March 2004 and the progress towards meeting the conditions set out in paragraph 5 of resolution 1521 (2003), and concluding that insufficient progress has been made towards that end,

Underlining its determination to support the Government of Liberia in its efforts to meet those conditions, and encouraging donors to do likewise,

Urging all parties to support the Government of Liberia in identifying and implementing measures that will ensure progress towards meeting the conditions set out in paragraph 5 of resolution 1521 (2003),

Determining that, despite significant progress having been made in Liberia, the situation there continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides*, on the basis of its assessment of progress made to date towards meeting the conditions for lifting the measures imposed by resolution 1521 (2003):

(*a*) To renew the measures on arms imposed by paragraph 2 of resolution 1521 (2003) and modified by paragraphs 1 and 2 of resolution 1683 (2006) of 13 June 2006 and by paragraph 1 (*b*) of resolution 1731 (2006) of 20 December 2006 and to renew the measures on travel imposed by paragraph 4 of resolution 1521 (2003) for a further period of twelve months from the date of adoption of the present resolution;

(*b*) That Member States shall notify the Security Council Committee established pursuant to paragraph 21 of resolution 1521 (2003) ("the Committee") upon delivery of all arms and related materiel supplied in accordance with paragraph 2 (*e*) or 2 (*f*) of resolution 1521 (2003), paragraph 2 of resolution 1683 (2006) or paragraph 1 (*b*) of resolution 1731 (2006);

[87] See A/57/489.

[88] See S/2007/689, annex.

(*c*) To review any of the above measures at the request of the Government of Liberia, once the Government reports to the Council that the conditions set out in resolution 1521 (2003) for terminating the measures have been met, and provides the Council with information to justify its assessment;

2. *Recalls* that the measures imposed by paragraph 1 of resolution 1532 (2004) remain in force, notes with concern the findings of the Panel of Experts on Liberia on the lack of progress in this regard, and calls upon the Government of Liberia to continue to make all necessary efforts to fulfil its obligations;

3. *Reconfirms its intention* to review the measures imposed by paragraph 1 of resolution 1532 (2004) at least once a year;

4. *Welcomes* the assistance by the United Nations Mission in Liberia to the Government of Liberia in conducting joint patrols with the Forestry Development Authority with a view to strengthening Government control in forestry areas;

5. *Decides* to extend the mandate of the current Panel of Experts appointed pursuant to paragraph 1 of resolution 1760 (2007) of 20 June 2007 for a further period, until 20 June 2008, to undertake the following tasks:

(*a*) To conduct a follow-up assessment mission to Liberia and neighbouring States, in order to investigate and compile a report on the implementation, and any violations, of the measures imposed by resolution 1521 (2003) and renewed in paragraph 1 above, including any information relevant to the designation by the Committee of the individuals described in paragraph 4 (*a*) of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004), and including the various sources of financing, such as from natural resources, for the illicit trade in arms;

(*b*) To assess the impact and effectiveness of the measures imposed by paragraph 1 of resolution 1532 (2004), including, in particular, with respect to the assets of former President Charles Taylor;

(*c*) To assess the implementation of forestry legislation passed by the Liberian Congress on 19 September 2006 and signed into law by President Johnson-Sirleaf on 5 October 2006;

(*d*) To assess the Government of Liberia's compliance with the Kimberley Process Certification Scheme,[87] and to coordinate with the Kimberley Process in assessing compliance;

(*e*) To report to the Council, through the Committee, by 1 June 2008 on all the issues listed in the present paragraph, and to provide informal updates to the Committee, as appropriate, before that date, especially on progress in the timber sector since the lifting of the measures imposed by paragraph 10 of resolution 1521 (2003) in June 2006, and in the diamond sector since the lifting of the measures imposed by paragraph 6 of resolution 1521 (2003) in April 2007;

(*f*) To cooperate actively with other relevant groups of experts, in particular the Group of Experts on Côte d'Ivoire re-established pursuant to paragraph 8 of resolution 1782 (2007) of 29 October 2007, and with the Kimberley Process Certification Scheme;

(*g*) To identify and make recommendations regarding areas in which the capacity of States in the region can be strengthened to facilitate the implementation of the measures imposed by paragraph 4 of resolution 1521 (2003) and paragraph 1 of resolution 1532 (2004);

6. *Requests* the Secretary-General to reappoint the current members of the Panel of Experts and to make the necessary financial and security arrangements to support the work of the Panel;

7. *Calls upon* all States and the Government of Liberia to cooperate fully with the Panel of Experts in all the aspects of its mandate;

8. *Encourages* the Government of Liberia to invite the Kimberley Process to conduct a review visit within a year of Liberia's full participation in and implementation of the Kimberley Process Certification Scheme;

9. *Encourages* the Kimberley Process to inform, as appropriate, the Council, through the Committee, about any possible review visit to Liberia and its assessment of progress made by the Government of Liberia in implementing the Kimberley Process Certification Scheme;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5810th meeting.

Decisions

On 21 December 2007, the President of the Security Council addressed the following letter to the Secretary-General:[89]

> "I have the honour to inform you that your letter dated 28 November 2007 concerning the United Nations Office for West Africa[90] has been brought to the attention of the members of the Security Council.
>
> "The members of the Council concur with your recommendation to extend the mandate of the Office for a further period of three years, from 1 January 2008 to 31 December 2010. In this regard, the members of the Council encourage you to actively explore the possibility of direct contributions from Member States, in addition to resources from within the United Nations.
>
> "The members of the Council also take note of your intention to revise the functions and activities of the Office, as reflected in the annex to your letter. The members of the Council request you to report to the Council every six months on the fulfilment by the Office of its revised mandate."

At its 5864th meeting, on 14 April 2008, the Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

> "Sixteenth progress report of the Secretary-General on the United Nations Mission in Liberia (S/2008/183)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Ellen Margrethe Løj, Special Representative of the Secretary-General for Liberia.

At its 5914th meeting, on 18 June 2008, the Council decided to invite the representative of Liberia to participate, without vote, in the discussion of the item entitled:

"The situation in Liberia

> "Letter dated 12 June 2008 from the Chairman of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council (S/2008/371)".

Resolution 1819 (2008)
of 18 June 2008

The Security Council,

Recalling its previous resolutions and the statements by its President on the situation in Liberia and West Africa,

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[89] S/2007/754.

[90] S/2007/753.

Welcoming the sustained progress made by the Government of Liberia since January 2006 in rebuilding Liberia for the benefit of all Liberians, with the support of the international community,

Recalling its decision not to renew the measures in paragraph 10 of resolution 1521 (2003) of 22 December 2003 regarding round logs and timber products originating in Liberia, and stressing that Liberia's progress in the timber sector must continue with the effective implementation and enforcement of the National Forestry Reform Law signed into law on 5 October 2006, including the resolution of land and tenure rights, the conservation and protection of biodiversity and the process for the awarding of contracts for commercial forestry operations,

Recalling also its decision to terminate the measures in paragraph 6 of resolution 1521 (2003) regarding diamonds,

Welcoming the participation of the Government of Liberia in the Kimberley Process Certification Scheme,[87] noting the implementation by Liberia of the necessary internal controls and other recommendations of the Kimberley Process, and calling upon the Government to continue to work diligently to ensure the effectiveness of these controls,

Stressing the continuing importance of the United Nations Mission in Liberia in improving security throughout Liberia and helping the Government of Liberia to establish its authority throughout the country, particularly in the diamond- and timber-producing regions and border areas,

Urging all parties to support the Government of Liberia in identifying and implementing measures that will ensure progress towards meeting the conditions set out in paragraph 5 of resolution 1521 (2003),

Welcoming the report of the Panel of Experts on Liberia, including on the issues of diamonds, timber, targeted sanctions, and arms and security,[91]

Determining that, despite significant progress having been made in Liberia, the situation there continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Requests* that the Secretary-General renew the mandate of the Panel of Experts appointed pursuant to paragraph 1 of resolution 1760 (2007) of 20 June 2007 for a further period, until 20 December 2008, and requests that the Panel of Experts report to the Security Council through the Committee established pursuant to paragraph 21 of resolution 1521 (2003) ("the Committee") by 1 December 2008 on all issues listed in paragraph 5 of resolution 1792 (2007) of 19 December 2007, and to provide informal updates to the Committee, as appropriate, before that date;

2. *Also requests* the Secretary-General to reappoint the Panel of Experts and to make the necessary financial and security arrangements to support the work of the Panel;

3. *Calls upon* all States and the Government of Liberia to cooperate fully with the Panel of Experts in all the aspects of its mandate;

4. *Encourages* the Government of Liberia to implement the recommendations of the most recent Kimberley Process review and to work closely with the Kimberley Process to continue to strengthen Liberian controls on rough diamond trade;

5. *Encourages* the Kimberley Process to inform, as appropriate, the Council, through the Committee, about its assessment of progress made by the Government of Liberia in implementing the Kimberley Process Certification Scheme;[87]

[91] See S/2008/371.

6. *Reiterates* the importance of continuing assistance by the United Nations Mission in Liberia to the Government of Liberia, the Committee and the Panel of Experts, within its capabilities and areas of deployment, and without prejudice to its mandate, including in monitoring the implementation of the measures in paragraphs 2 and 4 of resolution 1521 (2003), and in this regard recalls its request that the Mission inspect inventories of weapons and ammunition obtained in accordance with paragraphs 1 and 2 of resolution 1683 (2006) of 13 June 2006 to ensure that all such weapons and ammunition are accounted for, and make periodic reports to the Committee on its findings;

7. *Reiterates its request* to the United Nations Operation in Côte d'Ivoire, within its capabilities and areas of deployment, and without prejudice to its mandate, to assist the Committee and the Panel of Experts by passing to the Committee and the Panel any information relevant to the implementation of the measures in paragraphs 2 and 4 of resolution 1521 (2003) in the context of enhanced coordination among United Nations missions and offices in West Africa;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5914th meeting.

THE SITUATION IN SOMALIA[92]

Decision

At its 5732nd meeting, on 20 August 2007, the Security Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/2007/381)".

Resolution 1772 (2007) of 20 August 2007

The Security Council,

Recalling its previous resolutions concerning the situation in Somalia, in particular resolutions 733 (1992) of 23 January 1992, 1356 (2001) of 19 June 2001, 1425 (2002) of 22 July 2002, 1725 (2006) of 6 December 2006 and 1744 (2007) of 20 February 2007, and the statements by its President, in particular those of 13 July 2006,[93] 22 December 2006,[94] 30 April 2007[95] and 14 June 2007,[96]

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

Reiterating its commitment to a comprehensive and lasting settlement of the situation in Somalia through the Transitional Federal Charter, and stressing the importance of broad-based and representative institutions reached through an all-inclusive political process, as envisaged in the Transitional Federal Charter,

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[92] Resolutions or decisions on this question were first adopted by the Security Council in 1992.

[93] S/PRST/2006/31.

[94] S/PRST/2006/59.

[95] S/PRST/2007/13.

[96] S/PRST/2007/19.

Reiterating its strong support for the Special Representative of the Secretary-General for Somalia, Mr. François Lonseny Fall,

Reiterating its appreciation of the efforts of the international community, in particular the African Union, as well as the League of Arab States, the Intergovernmental Authority on Development and the European Union, to promote peace, stability and reconciliation in Somalia, and welcoming their continued engagement,

Welcoming the communiqué of 18 July 2007 issued by the Peace and Security Council of the African Union,[97] which states that the African Union will extend the mandate of its mission to Somalia for an additional six months, and noting that the communiqué calls for the United Nations to deploy a peacekeeping operation to Somalia that will support long-term stabilization and post-conflict restoration in the country,

Taking note of the letter dated 4 August 2007 from the Chairperson of the African Union Commission to the Secretary-General,[98] which requests that experts from the African Union Commission and the United Nations Secretariat meet as soon as possible to discuss what further support might be provided to the African Union Mission in Somalia,

Taking note also of the report of the Secretary-General of 25 June 2007 on the situation in Somalia,[99] in particular paragraph 30 on the deployment of a team of ten military, police and civilian experts to African Union headquarters to support its mission planning and management capacity structure, and expressing its appreciation for this support of the Mission,

Recalling that cooperation between the United Nations and the regional arrangements in matters relating to the maintenance of peace and security, as are appropriate for regional action, is an integral part of collective security as provided for in the Charter of the United Nations,

Taking note of paragraph 27 of the report of the Secretary-General communicating the offer by the International Contact Group on Somalia of its good offices to facilitate the process of genuine political reconciliation in Somalia, and encouraging the Contact Group to continue the implementation of this offer,

Reiterating its support for Somalia's transitional federal institutions, underlining the importance of providing and maintaining stability and security throughout Somalia, and underscoring the importance of disarmament, demobilization and reintegration of militia and ex-combatants in Somalia,

Condemning all acts of violence and extremism inside Somalia, and expressing its concern regarding the continued violence inside Somalia,

Stressing its concern at the upsurge in piracy off the Somali coast described in paragraph 51 of the report of the Secretary-General, and taking note of the joint communiqué of 10 July 2007 issued by the International Maritime Organization and the World Food Programme,

Emphasizing the contribution that the Mission and its Ugandan contingents are making to lasting peace and stability in Somalia, condemning any hostility towards them, and urging all parties in Somalia and the region to support and cooperate with the Mission,

Underlining that the full deployment of the Mission will help to avoid a security vacuum and help to create the conditions for the full withdrawal of other foreign forces from Somalia,

Determining that the situation in Somalia continues to constitute a threat to international peace and security in the region,

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[97] S/2007/444, annex.

[98] S/2007/499, annex.

[99] S/2007/381.

Acting under Chapter VII of the Charter,

1. *Stresses* the need for broad-based and representative institutions reached through an all-inclusive political process in Somalia, as envisaged in the Transitional Federal Charter, in order to consolidate stability, peace and reconciliation in the country and to ensure that international assistance is as effective as possible;

2. *Welcomes* the convening of the National Reconciliation Congress at the initiative of the transitional federal institutions, and urges all parties to support the Congress and participate in the political process;

3. *Stresses* the need for the National Reconciliation Congress to be an all-inclusive intra-Somali political process involving all stakeholders, including all political leaders, clan leaders, religious leaders, the business community and representatives of civil society such as women's groups;

4. *Urges* the transitional federal institutions and all parties in Somalia to respect the conclusions of the National Reconciliation Congress and to sustain an equally inclusive ongoing political process thereafter, and encourages them to unite behind the efforts to promote such an inclusive dialogue;

5. *Reiterates* the need for the ongoing political process both to agree on a comprehensive and lasting cessation of hostilities and to produce a road map for a comprehensive peace process, including democratic elections at the local, regional and national levels as set out in Somalia's Transitional Federal Charter;

6. *Requests* the Secretary-General to continue and intensify his efforts to strengthen the National Reconciliation Congress and, more widely, promote an ongoing all-inclusive political process, including by assisting the transitional federal institutions' role in delivering both and by working together with the African Union, the League of Arab States, the Intergovernmental Authority on Development, the European Union and the International Contact Group on Somalia, and requests the Secretary-General to report, pursuant to the timetable set out in paragraph 17 below, on the efforts of the transitional federal institutions, on progress made in the Congress and the subsequent political process, and on any obstacles to the success of either;

7. *Also requests* the Secretary-General to provide in the same reports an assessment of further measures that may be required to strengthen the ability of the United Nations Political Office for Somalia to fulfil the role envisaged in paragraph 6 above, including the possibility of relocation from Nairobi to Mogadishu and any security measures that might be necessary for such a move;

8. *States its intention*, following the reports of the Secretary-General referred to in paragraph 6 above, to take measures against those who seek to prevent or block the National Reconciliation Congress or a peaceful political process, or those who threaten the transitional federal institutions or the African Union Mission in Somalia by force, or take action that undermines stability in Somalia or the region;

9. *Decides* to authorize member States of the African Union to maintain a mission in Somalia for a further period of six months, which shall be authorized to take all necessary measures, as appropriate, to carry out the following mandate:

(*a*) To support dialogue and reconciliation in Somalia by assisting with the free movement, safe passage and protection of all those involved with the process referred to in paragraphs 1 to 5 above;

(*b*) To provide, as appropriate, protection to the transitional federal institutions to help them to carry out their functions of government, and security for key infrastructure;

(*c*) To assist, within its capabilities, and in coordination with other parties, with implementation of the National Security and Stabilization Plan, in particular the effective re-establishment and training of all-inclusive Somali security forces;

(*d*) To contribute, as may be requested and within capabilities, to the creation of the necessary security conditions for the provision of humanitarian assistance;

(*e*) To protect its personnel, facilities, installations, equipment and mission, and to ensure the security and freedom of movement of its personnel;

10. *Urges* member States of the African Union to contribute to the above mission in order to help to create the conditions for the withdrawal of all other foreign forces from Somalia;

11. *Decides* that the measures imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon in paragraphs 1 and 2 of resolution 1425 (2002) shall not apply to:

(*a*) Supplies of weapons and military equipment, technical training and assistance intended solely for the support of or use by the mission referred to in paragraph 9 above; or

(*b*) Such supplies and technical assistance by States intended solely for the purpose of helping to develop security sector institutions, consistent with the political process set out in paragraphs 1 to 5 above and in the absence of a negative decision by the Security Council Committee established pursuant to resolution 751 (1992) within five working days of receiving the notification described in paragraph 12 below;

12. *Decides also* that States providing supplies or technical assistance in accordance with paragraph 11 (*b*) above shall notify the Committee in advance and on a case-by-case basis;

13. *Emphasizes* the continued contribution made to Somalia's peace and security by the arms embargo, demands that all Member States, in particular those of the region, fully comply with it, reiterates its intention to consider urgently ways to strengthen its effectiveness, including through targeted measures in support of the arms embargo, and requests that the Committee report to the Council within sixty days of the adoption of the present resolution on possible measures that might be taken and how they might be implemented;

14. *Urges* Member States to provide financial resources, personnel, equipment and services for the full deployment of the Mission;

15. *Requests* the Secretary-General to consult with the African Union Commission on what further support might be provided to the Mission and report back to the Council on any progress, pursuant to the timetable set out in paragraph 17 below;

16. *Also requests* the Secretary-General, further to the observations contained in his report on the situation in Somalia,[99] to continue to develop the existing contingency planning for the possible deployment of a United Nations peacekeeping operation replacing the Mission, including:

(*a*) Sending a further technical assessment mission to the region as soon as possible;

(*b*) Further contact with potential troop-contributing countries;

(*c*) Identifying what further action the United Nations and the international community should take to help to create the conditions necessary for, and to overcome potential obstacles to, the deployment and success of a United Nations peacekeeping operation in Somalia, including specifying measures, indicators and time frames for review of progress that will assist the decision of the Council on the appropriateness of and objectives for a United Nations mission;

17. *Further requests* the Secretary-General to report to the Council within thirty days of the adoption of the present resolution, and again within a further thirty days, on the status of the further development of the plans outlined in paragraph 16 above, as well as the political aspects outlined in paragraphs 6 and 7 above;

18. *Encourages* Member States whose naval vessels and military aircraft operate in international waters and airspace adjacent to the coast of Somalia to be vigilant to any incident of piracy therein and to take appropriate action to protect merchant shipping, in particular the transportation of humanitarian aid, against any such act, in line with relevant international law;

19. *Reaffirms* its resolution 1325 (2000) of 31 October 2000 on women and peace and security, and its resolutions 1674 (2006) of 28 April 2006 and 1738 (2006) of 23 December 2006 on the protection of civilians in armed conflict, and stresses the responsibility of all parties and armed groups in Somalia to take appropriate steps to protect the civilian population in the country, consistent with international humanitarian, human rights and refugee law, in particular by avoiding any indiscriminate attacks on populated areas;

20. *Strongly supports and encourages* the ongoing relief efforts in Somalia, recalls its resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel, calls upon all parties and armed groups in Somalia to take appropriate steps to ensure the safety and security of personnel of the Mission and humanitarian personnel, and to grant timely, safe and unhindered access for the delivery of humanitarian assistance to all those in need, and urges the countries in the region to facilitate the provision of humanitarian assistance by land or via airports and seaports;

21. *Reaffirms* its previous resolution 1612 (2005) of 26 July 2005 on children and armed conflict, and recalls the subsequent conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties to the armed conflict in Somalia;[100]

22. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5732nd meeting.

Decisions

On 31 August 2007, the President of the Security Council addressed the following letter to the Secretary-General:[101]

> "I have the honour to inform you that your letter dated 27 August 2007 concerning your intentions to upgrade the level of the post of Head of the United Nations Political Office for Somalia to that of Under-Secretary-General and to appoint Mr. Ahmedou Ould-Abdallah as your Special Representative for Somalia, to reassign Mr. François Lonseny Fall as Head of the United Nations Peacebuilding Support Office in the Central African Republic and to temporarily reassign General Lamine Cissé as Officer-in-Charge of the United Nations Office for West Africa[102] has been brought to the attention of the members of the Security Council. They take note of the intentions and information contained in your letter."

At its 5805th meeting, on 17 December 2007, the Council decided to invite the representatives of Norway, Portugal and Somalia to participate, without vote, in the discussion of the item entitled "The situation in Somalia".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ahmedou Ould-Abdallah, Special Representative of the Secretary-General for Somalia.

At its 5812th meeting, on 19 December 2007, the Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled "The situation in Somalia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[103]

> "The Security Council welcomes the briefing it received on 17 December 2007 from the Special Representative of the Secretary-General for Somalia, Mr. Ahmedou

[100] S/AC.51/2007/14.

[101] S/2007/523.

[102] S/2007/522.

[103] S/PRST/2007/49.

Ould-Abdallah,[104] in which he made proposals on the political and security fronts and called upon the international community to commit itself to a clear course of action. The Council looks forward to hearing more details on the proposals of the Special Representative. The Council strongly supports the efforts of the Special Representative to work towards lasting peace and stability in Somalia.

"The Council reaffirms its respect for the sovereignty, territorial integrity, political independence and unity of Somalia.

"The Council welcomes the appointment of the new Prime Minister of Somalia, and looks forward to the early establishment of an effective government. The appointment of Mr. Nur "Adde" Hassan Hussein offers a renewed opportunity to make further progress on dialogue and political reconciliation, on addressing the humanitarian crisis in Somalia, and on implementing the outcomes of the National Reconciliation Congress, leading to a road map for the remainder of the transitional period and democratic elections in Somalia, as set out in the Transitional Federal Charter. The Council urges all Somali parties to reject violence and, with the support of the Special Representative, to enter into a substantive dialogue aimed at achieving a full and all-inclusive national reconciliation.

"The Council also welcomes the briefing on 6 December 2007 by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, Mr. John Holmes, which included an account of his visit to Somalia.[105] The Council expresses its deep concern at the deteriorating humanitarian situation, aggravated by the prevailing security conditions in Somalia, and emphasizes again the need for strengthened efforts to provide humanitarian relief assistance to Somalia. The Council demands that all parties in Somalia ensure unfettered access for all humanitarian assistance to vulnerable populations, fulfil their responsibilities and obligations under international humanitarian law and take the necessary measures to protect civilians.

"The Council reiterates its strong support for the African Union Mission in Somalia, calls upon all Somali parties to cooperate fully with it, again urges the international community to provide financial resources, personnel, equipment and services for the full deployment of the Mission, and repeats its request that the Secretary-General consult with the African Union Commission on what further support might be provided to the Mission.

"The Council also reiterates its request that the Secretary-General develop the existing contingency plans for the possible deployment of a United Nations peacekeeping operation to succeed the Mission, as set out in resolution 1772 (2007). The Council requests the Secretary-General to report by 8 February 2008 on progress made in this regard."

On 27 December 2007, the President of the Security Council addressed the following letter to the Secretary-General:[106]

"I have the honour to inform you that your letter dated 24 December 2007 concerning your intention to continue the activities of the United Nations Political Office for Somalia for the biennium 2008–2009[107] has been brought to the attention of the members of the Security Council. They take note of the information and intention expressed in your letter."

At its 5837th meeting, on 15 February 2008, the Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled "The situation in Somalia".

[104] See S/PV.5805.

[105] See S/PV.5792.

[106] S/2007/763.

[107] S/2007/762.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mrs. Lila Hanitra Ratsifandrihamanana, Permanent Observer of the African Union to the United Nations.

At its 5842nd meeting, on 20 February 2008, the Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled "The situation in Somalia".

Resolution 1801 (2008)
of 20 February 2008

The Security Council,

Recalling its previous resolutions concerning the situation in Somalia, in particular resolutions 733 (1992) of 23 January 1992, 1356 (2001) of 19 June 2001, 1425 (2002) of 22 July 2002, 1725 (2006) of 6 December 2006, 1744 (2007) of 20 February 2007 and 1772 (2007) of 20 August 2007, and the statements by its President, in particular those of 13 July 2006,[93] 22 December 2006,[94] 30 April 2007,[95] 14 June 2007[96] and 19 December 2007,[103]

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

Reiterating its commitment to a comprehensive and lasting settlement of the situation in Somalia through the Transitional Federal Charter, stressing the importance of broad-based and representative institutions reached through a political process ultimately inclusive of all, as envisaged in the Transitional Federal Charter, and reiterating its support for Somalia's transitional federal institutions,

Welcoming the appointment by President Abdullahi Yusuf Ahmed of Prime Minister Nur "Adde" Hassan Hussein, the subsequent appointment of a new Cabinet under the Transitional Federal Government, and the relocation of the Transitional Federal Government to Mogadishu,

Commending the work of the Special Representative of the Secretary-General for Somalia, Mr. Ahmedou Ould-Abdallah, and affirming its strong support for his efforts,

Underlining the importance of providing and maintaining stability and security throughout Somalia, and underscoring the importance of disarmament, demobilization and reintegration of militia and ex-combatants in Somalia,

Condemning all acts of violence and extremism inside Somalia, and expressing its concern regarding the continued violence inside Somalia,

Stressing its concern at the upsurge in piracy off the Somali coast described in paragraph 22 of the report of the Secretary-General of 7 November 2007,[108] and recalling the joint communiqué of the International Maritime Organization and the World Food Programme of 10 July 2007,

Reiterating its appreciation of the efforts of the international community, in particular the African Union, as well as the League of Arab States, the Intergovernmental Authority on Development and the European Union, to promote peace, stability and reconciliation in Somalia, and welcoming their continued engagement,

Recalling that cooperation between the United Nations and the regional arrangements in matters relating to the maintenance of peace and security, as are appropriate for regional action, is an integral part of collective security as provided for in the Charter of the United Nations,

[108] S/2007/658.

Welcoming the communiqué of the Peace and Security Council of the African Union of 18 January 2008, which states that the African Union will extend the mandate of its mission to Somalia for an additional six months,

Emphasizing the contribution that the African Union Mission in Somalia and its Ugandan and Burundian contingents are making to lasting peace and stability in Somalia, including the important work that the Ugandan forces have carried out in providing medical care for Somali citizens, condemning any hostility towards them, and urging all parties in Somalia and the region to support and cooperate with the Mission,

Welcoming the sustained commitment of the Government of Uganda to supporting the efforts of the Mission over the last year and the Government of Burundi for its recent deployment,

Taking note of the report of the Secretary-General on the situation in Somalia,[108] in particular paragraph 32 thereof, and expressing its appreciation for his support of the Mission,

Underlining that the full deployment of the Mission will help to facilitate the full withdrawal of other foreign forces from Somalia and help to create the conditions for lasting peace and stability there,

Noting that the communiqué of the Peace and Security Council of 18 January 2008 calls for the United Nations to deploy a peacekeeping operation to Somalia that will support the long-term stabilization and post-conflict restoration in the country,

Recalling the request made in the statement by its President of 19 December 2007 that the Secretary-General report to the Security Council on the development of contingency plans for the possible deployment of a United Nations peacekeeping operation to succeed the Mission, as set out in resolution 1772 (2007),

Determining that the situation in Somalia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter,

1. *Decides* to renew the authorization of member States of the African Union to maintain a mission in Somalia for a further period of six months, which shall be authorized to take all necessary measures, as appropriate, to carry out the mandate set out in paragraph 9 of resolution 1772 (2007), and underlines, in particular, that the African Union Mission in Somalia is authorized to take all necessary measures, as appropriate, to provide security for key infrastructure and to contribute, as may be requested and within its capabilities, to the creation of the necessary security conditions for the provision of humanitarian assistance;

2. *Affirms* that the provisions set out in paragraphs 11 and 12 of resolution 1772 (2007) shall continue to apply to the mission referred to in paragraph 1 above;

3. *Urges* member States of the African Union to contribute to the Mission in order to help to facilitate the full withdrawal of other foreign forces from Somalia and help to create the conditions for lasting peace and stability there;

4. *Urges* Member States to provide financial resources, personnel, equipment and services for the full deployment of the Mission;

5. *Reaffirms its intention* to take measures against those who seek to prevent or block a peaceful political process, or those who threaten the transitional federal institutions or the Mission by force, or take action that undermines stability in Somalia or the region;

6. *Looks forward* to the forthcoming report of the Secretary-General, due on 10 March 2008, including on specific options to strengthen the ability of the United Nations Political Office for Somalia to support further the full deployment of the Mission, and to prepare for the possible deployment of a United Nations peacekeeping operation to succeed the Mission, and affirms its intention to meet again promptly following the release of the report to consider what further action it might take in the light of options and recommendations contained therein;

7. *Requests* the Secretary-General to continue and intensify his efforts to promote an ongoing political process which is ultimately inclusive of all, including by assisting the transitional federal institutions' role in delivering this and services to the Somali people and by working together with the international community, including the African Union, the League of Arab States, the Intergovernmental Authority on Development, the European Union and the International Contact Group on Somalia and its members;

8. *Calls upon* all international organizations and Member States to support the Special Representative of the Secretary-General for Somalia in his work in order to enhance security and bring a comprehensive and lasting peace to Somalia, and requests that they work through him at all times so that a coordinated effort can be attained;

9. *Urges* the transitional federal institutions and all parties in Somalia to respect the conclusions of the National Reconciliation Congress and to sustain an equally inclusive ongoing political process thereafter, ultimately involving all stakeholders, including political leaders, clan leaders, religious leaders, the business community and representatives of civil society such as women's groups, and encourages them to unite behind the efforts to promote such an inclusive dialogue;

10. *Welcomes* the efforts of the Transitional Federal Government towards producing a plan for implementing the conclusions of the National Reconciliation Congress, including the completion of the constitutional process, and reiterates the need for agreement on a comprehensive and lasting cessation of hostilities and a road map of the critical path for the remainder of the transitional process, including free and democratic elections in 2009 as set out in Somalia's Transitional Federal Charter;

11. *Emphasizes* the continued contribution made to Somalia's peace and security by the arms embargo imposed by resolution 733 (1992), as elaborated and amended by subsequent resolutions, demands that all Member States, in particular those of the region, comply fully with it, and reiterates its intention to consider ways to strengthen its effectiveness;

12. *Encourages* Member States whose naval vessels and military aircraft operate in international waters and airspace adjacent to the coast of Somalia to be vigilant to any incidents of piracy therein and to take appropriate action to protect merchant shipping, in particular the transportation of humanitarian aid, against any such act, in line with relevant international law, and welcomes the contribution made by France to protect the World Food Programme naval convoys and the support now provided by Denmark to this end;

13. *Reaffirms* its resolution 1325 (2000) of 31 October 2000 on women and peace and security, and its resolutions 1674 (2006) of 28 April 2006 and 1738 (2006) of 23 December 2006 on the protection of civilians in armed conflict, and stresses the responsibility of all parties and armed groups in Somalia to take appropriate steps to protect the civilian population in the country, consistent with international humanitarian, human rights and refugee law, in particular by avoiding any indiscriminate attacks on populated areas;

14. *Strongly supports and encourages* the ongoing humanitarian relief efforts in Somalia, recalls its resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel, calls upon all parties and armed groups in Somalia to take appropriate steps to ensure the safety and security of Mission and humanitarian personnel, and to grant timely, safe and unhindered access for the delivery of humanitarian assistance to all those in need, and urges the countries in the region to facilitate the provision of humanitarian assistance by land or via airports and seaports;

15. *Reaffirms* its previous resolution 1612 (2005) of 26 July 2005 on children and armed conflict, and recalls the subsequent conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties to the armed conflict in Somalia;[100]

16. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5842nd meeting.

Decisions

On 26 February 2008, the President of the Security Council addressed the following letter to the Secretary-General:[109]

> "I have the honour to inform you that your letter dated 21 February 2008 concerning your intention to appoint Mr. Said Djinnit, of Algeria, as your Special Representative for West Africa and Head of the United Nations Office for West Africa[110] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5858th meeting, on 20 March 2008, the Council decided to invite the representatives of Somalia and Uganda to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

> "Report of the Secretary-General on the situation in Somalia (S/2008/178 and Corr.1 and 2)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Ahmedou Ould-Abdallah, Special Representative of the Secretary-General for Somalia, and Mr. Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations.

At its 5879th meeting, on 29 April 2008, the Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

> "Letter dated 24 April 2008 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council (S/2008/274)".

Resolution 1811 (2008) of 29 April 2008

The Security Council,

Reaffirming its previous resolutions and the statements by its President concerning the situation in Somalia, in particular resolution 733 (1992) of 23 January 1992, which established an embargo on all deliveries of weapons and military equipment to Somalia (hereinafter referred to as "the arms embargo"), and resolutions 1519 (2003) of 16 December 2003, 1558 (2004) of 17 August 2004, 1587 (2005) of 15 March 2005, 1630 (2005) of 14 October 2005, 1676 (2006) of 10 May 2006, 1724 (2006) of 29 November 2006, 1744 (2007) of 20 February 2007, 1766 (2007) of 23 July 2007, 1772 (2007) of 20 August 2007 and 1801 (2008) of 20 February 2008,

Recalling that, as set out in resolutions 1744 (2007) and 1772 (2007), the arms embargo on Somalia does not apply to (*a*) weapons and military equipment, technical training and assistance intended solely for the support of or use by the African Union Mission in Somalia, and (*b*) supplies and technical assistance by States intended solely for the purpose of helping to develop security sector institutions, consistent with the political process set out in those resolutions and in the absence of a negative decision by the Security Council Committee established pursuant to resolution 751 (1992) (hereinafter referred to as "the Committee") within five working days of receiving an advance notification of such supplies or assistance on a case-by-case basis,

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[109] S/2008/128.

[110] S/2008/127.

Reaffirming the importance of the sovereignty, territorial integrity, political independence and unity of Somalia,

Reiterating the urgent need for all Somali leaders to take tangible steps to continue political dialogue,

Commending the work of the Special Representative of the Secretary-General for Somalia, Mr. Ahmedou Ould-Abdallah, and reaffirming its strong support for his efforts,

Taking note of the report of the Monitoring Group submitted on 24 April 2008 pursuant to paragraph 3 (*i*) of resolution 1766 (2007)[111] and the observations and recommendations contained therein,

Condemning flows of weapons and ammunition supplies to and through Somalia in violation of the arms embargo as a serious threat to peace and stability in Somalia,

Reiterating its insistence that all States, in particular those in the region, should refrain from any action in contravention of the arms embargo and should take all necessary steps to hold violators accountable,

Reiterating and underscoring the importance of enhancing the monitoring of the arms embargo in Somalia through persistent and vigilant investigation into the violations, bearing in mind that strict enforcement of the arms embargo will improve the overall security situation in Somalia,

Determining that the situation in Somalia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Stresses* the obligation of all States to comply fully with the measures imposed by resolution 733 (1992);

2. *Reiterates its intention*, in the light of the report of the Monitoring Group of 24 April 2008,[111] to consider specific action to improve implementation of and compliance with measures imposed by resolution 733 (1992);

3. *Decides* to extend the mandate of the Monitoring Group referred to in paragraph 3 of resolution 1558 (2004), and requests the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Monitoring Group for a further six months, drawing, as appropriate, on the expertise of the members of the Monitoring Group established pursuant to resolution 1766 (2007) and appointing new members as necessary, in consultation with the Committee, the mandate to be as follows:

(*a*) To continue the tasks outlined in paragraphs 3 (*a*) to (*c*) of resolution 1587 (2005);

(*b*) To continue to investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generate revenues used to commit arms embargo violations;

(*c*) To continue to investigate any means of transport, routes, seaports, airports and other facilities used in connection with arms embargo violations;

(*d*) To continue refining and updating information on the draft list of those individuals and entities who violate the measures implemented by Member States in accordance with resolution 733 (1992), inside and outside Somalia, and their active supporters, for possible future measures by the Security Council, and to present such information to the Committee as and when the Committee deems appropriate;

[111] See S/2008/274.

(*e*) To continue making recommendations based on its investigations, on the previous reports of the Panel of Experts appointed pursuant to resolutions 1425 (2002) of 22 July 2002 and 1474 (2003) of 8 April 2003,[112] and on the previous reports of the Monitoring Group appointed pursuant to resolutions 1519 (2003),[113] 1558 (2004),[114] 1587 (2005),[115] 1630 (2005),[116] 1676 (2006),[117] 1724 (2006)[118] and 1766 (2007);[111]

(*f*) To work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the arms embargo;

(*g*) To assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the arms embargo;

(*h*) To provide to the Council, through the Committee, a midterm briefing within ninety days of its establishment, and to submit progress reports to the Committee on a monthly basis;

(*i*) To submit, through the Committee, for the consideration of the Council, a final report covering all the tasks set out above, no later than fifteen days prior to the termination of the mandate of the Monitoring Group;

4. *Requests* the Secretary-General to make the necessary financial arrangements to support the work of the Monitoring Group;

5. *Reaffirms* paragraphs 4, 5, 7, 8 and 10 of resolution 1519 (2003);

6. *Requests* the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities, to consider the recommendations in the reports of the Monitoring Group of 5 April[116] and 16 October 2006,[117] 17 July 2007[118] and 24 April 2008[111] and recommend to the Council ways to improve implementation of and compliance with the arms embargo, in response to continuing violations;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5879th meeting.

Decision

At its 5893rd meeting, on 15 May 2008, the Security Council decided to invite the representative of Somalia to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/2008/178 and Corr.1 and 2)".

Resolution 1814 (2008)
of 15 May 2008

The Security Council,

Recalling its previous resolutions concerning the situation in Somalia, in particular resolutions 733 (1992) of 23 January 1992, 1356 (2001) of 19 June 2001, 1425 (2002) of 22 July 2002, 1725 (2006) of 6 December 2006, 1744 (2007) of 20 February 2007, 1772 (2007) of

[112] See S/2003/223 and S/2003/1035.
[113] See S/2004/604.
[114] See S/2005/153.
[115] See S/2005/625.
[116] See S/2006/229.
[117] See S/2006/913.
[118] See S/2007/436.

20 August 2007, 1801 (2008) of 20 February 2008 and 1811 (2008) of 29 April 2008, and the statements by its President, in particular those of 13 July 2006,[93] 22 December 2006,[94] 30 April 2007,[95] 14 June 2007[96] and 19 December 2007,[103]

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

Reiterating its commitment to a comprehensive and lasting settlement of the situation in Somalia through the Transitional Federal Charter, stressing the importance of broad-based and representative institutions reached through a political process ultimately inclusive of all, as envisaged in the Transitional Federal Charter, and reiterating its support for Somalia's transitional federal institutions to take this forward,

Reiterating the need for agreement on a comprehensive and lasting cessation of hostilities and a road map for the remainder of the transitional process, including free and democratic elections in 2009 as set out in the Transitional Federal Charter,

Welcoming the continued efforts of Prime Minister Nur "Adde" Hassan Hussein and his Cabinet, under the leadership of President Abdullahi Yusuf Ahmed and supported by the Transitional Federal Parliament, to advance the political process and implement the transitional period, as required by the Transitional Federal Charter, in particular the agreement to prepare a timetable for the constitutional process leading to a referendum in 2009, the presentation of the reconciliation strategy of the Transitional Federal Government, engagement with clan and local leaders across the country, and efforts to implement the National Security and Stabilization Plan and to improve public finance management, including budgetary and fiscal processes, and supporting efforts to make further progress in all these areas,

Welcoming also the commitment of all Somali parties that have agreed to engage in dialogue with each other with a view to establishing peace and security in Somalia, urging all Somali parties to honour these commitments and to resort to peaceful means only to resolve their disputes, further welcoming the supporting role of the United Nations, in particular the practical support of the Special Representative of the Secretary-General for Somalia and the United Nations Political Office for Somalia to help to progress this dialogue, and supporting in this regard the start of discussions between the parties in Djibouti on 12 May 2008,

Welcoming further the report of the Secretary-General of 14 March 2008 on the situation in Somalia,[119] in particular the assessment that the political situation in Somalia currently provides a renewed opportunity for the international community to give practical support to domestic initiatives, including an increased presence of United Nations personnel and, subject to broad-based political and security agreements and conditions on the ground, the deployment of a United Nations peacekeeping operation to succeed the African Union Mission in Somalia,

Welcoming the support of the Secretary-General for a comprehensive United Nations strategic approach for peace and stability in Somalia, aligning and integrating political, security and programmatic efforts in a sequenced and mutually reinforcing way, and endorsing ongoing work by the United Nations to support the political process in Somalia and to determine options for relocating United Nations staff to Somalia,

Commending the work of the Special Representative of the Secretary-General, Mr. Ahmedou Ould-Abdallah, and of the United Nations Political Office for Somalia, reaffirming its strong support for the work of the Special Representative, in particular his leading role in coordinating international efforts, and requesting that all parties, as well as international organizations, the United Nations country team and Member States support and work in close coordination with him at all times,

[119] S/2008/178 and Corr.1 and 2.

Reaffirming its condemnation of all acts of, and incitement to, violence inside Somalia, expressing its concern at all acts intended to prevent or block a peaceful political process, and expressing its further concern at such acts and incitement continuing,

Underlining the importance of providing and maintaining stability and security throughout Somalia, and underscoring the importance of the disarmament, demobilization and reintegration of militia and ex-combatants in Somalia,

Emphasizing the contribution that the Mission is making to lasting peace and stability in Somalia, welcoming in particular the continuing commitment of the Governments of Uganda and Burundi, regretting the recent loss of a Burundian soldier, condemning any hostility towards the Mission, and urging all parties in Somalia and the region to support and cooperate with the Mission,

Underlining that the full deployment of the Mission will help to facilitate the full withdrawal of other foreign forces from Somalia and help to create the conditions for lasting peace and stability there,

Taking note of the letter dated 20 February 2008 from the Chairperson of the African Union Commission to the Secretary-General, annexed to the report of the Secretary-General,[119] and of the reply from the Secretary-General dated 23 April 2008,[120]

Emphasizing the continued contribution made to Somalia's peace and security by the arms embargo imposed by resolution 733 (1992), as elaborated and amended by resolutions 1356 (2001), 1425 (2002), 1725 (2006), 1744 (2007) and 1772 (2007), and reiterating its demand that all Member States, in particular those in the region, comply fully with it,

Expressing its deep concern at the human rights situation in Somalia, and taking note of the resolution on Somalia adopted by the Human Rights Council at its seventh session, and of the renewal by that Council of the mandate of the independent expert on the situation of human rights in Somalia,[121]

Expressing its serious concern at the worsening humanitarian situation in Somalia and the continuing difficulties for humanitarian organizations operating in Somalia, including humanitarian access and security for humanitarian personnel, and reaffirming the humanitarian principles of humanity, neutrality, impartiality and independence,

Determining that the situation in Somalia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Requests* the Secretary-General to continue and intensify his efforts, working together with the international community, to promote an ongoing political process which is ultimately inclusive of all, including by assisting the transitional federal institutions in this regard and in delivering services to the Somali people;

2. *Strongly supports* the approach proposed by the Secretary-General in his report of 14 March 2008,[119] welcomes his intention to provide an updated comprehensive, integrated United Nations strategy for peace and stability in Somalia, aligning and integrating political, security and programmatic efforts in a sequenced and mutually reinforcing way, and to include an assessment of the capacity of the United Nations Political Office for Somalia to implement the strategy, and requests that he submit the updated version to the Security Council within sixty days of the adoption of the present resolution;

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[120] S/2008/309, annex.

[121] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. II, resolution 7/35.

3. *Approves* the proposal made by the Secretary-General in his report to establish a joint planning unit in the office of the Special Representative of the Secretary-General for Somalia to facilitate effective and efficient implementation of the integrated strategy;

4. *Welcomes* the recommendation of the Secretary-General, as set out in his report, to relocate the United Nations Political Office for Somalia and the country team headquarters from Nairobi to Mogadishu or an interim location in Somalia in order to help to deliver the comprehensive, integrated United Nations strategy in Somalia, and requests the Secretary-General to establish the necessary security arrangements for such a relocation, and to update the Council when he submits the strategy, referred to in paragraph 2 above;

5. *Decides* that the United Nations Political Office for Somalia and the United Nations country team shall, in promoting a comprehensive and lasting settlement in Somalia and through the promotion of the ongoing political process, enhance their support to the transitional federal institutions with the aim of developing a constitution and holding a constitutional referendum and free and democratic elections in 2009, as required by the Transitional Federal Charter, and facilitating coordination of the support of the international community to these efforts, and requests the Secretary-General, within sixty days of the adoption of the present resolution, to report on progress with this work;

6. *Recalls its intention* to take measures against those who seek to prevent or block a peaceful political process, or those who threaten the transitional federal institutions or the African Union Mission in Somalia by force, or take action that undermines stability in Somalia or the region, and therefore requests the Security Council Committee established pursuant to resolution 751 (1992) (hereinafter "the Committee") to provide, within sixty days of the adoption of the present resolution, recommendations on specific targeted measures to be imposed against such individuals or entities;

7. *Also recalls its intention* to strengthen the effectiveness of the United Nations arms embargo on Somalia, states its intention to take measures against those who breach the arms embargo and those who support them in doing so, and therefore requests the Committee to provide, within sixty days of the adoption of the present resolution, recommendations on specific targeted measures to be imposed against such individuals or entities;

8. *Requests* the Secretary-General to continue his contingency planning for the possible deployment of a United Nations peacekeeping operation in Somalia to succeed the Mission, including of possible additional scenarios, in close contact with the United Nations Political Office for Somalia, the United Nations country team and other United Nations stakeholders, taking account of all relevant conditions on the ground, and considering additional options for the size, configuration, responsibility and proposed area of operations of the mission, depending on different conditions on the ground, requests the Secretary-General to provide an update on progress in his planning in the report referred to in paragraph 5 above, and expresses its willingness to consider, at an appropriate time, a peacekeeping operation to take over from the Mission, subject to progress in the political process and improvement in the security situation on the ground;

9. *Welcomes* the undertaking by the Secretary-General, as set out in his letter dated 23 April 2008 to the Chairperson of the African Union Commission,[120] to provide additional United Nations technical advisers to the African Union Strategic Planning and Management Unit in Addis Ababa, and encourages the Secretary-General to continue to explore with the Chairperson of the African Union Commission, in coordination with donors, ways and means to strengthen United Nations logistical, political and technical support for the African Union, to build the institutional capacity of the African Union to carry out its commitments in addressing the challenges it faces in supporting the Mission, and to assist the full deployment of the Mission, to the extent possible and as appropriate, with the goal of achieving United Nations standards, and to update the Council in the report referred to in paragraph 5 above;

10. *Reiterates its call upon* Member States to provide financial resources, personnel, equipment and services for the full deployment of the Mission, and upon States members of the

African Union to contribute to the Mission in order to facilitate the withdrawal of other foreign forces from Somalia and help to create the conditions for lasting peace and stability there, urges those Member States which have offered to contribute to the Mission to fulfil such commitments, recognizes that more needs to be done to harness increased support for the Mission, and takes note of the proposals of the Secretary-General for harnessing such support, as set out in his letter dated 23 April 2008;

11. *Reiterates its support* for the contribution made by some States to protect the World Food Programme maritime convoys, calls upon States and regional organizations, in close coordination with each other and as notified in advance to the Secretary-General, and at the request of the Transitional Federal Government, to take action to protect shipping involved with the transportation and delivery of humanitarian aid to Somalia and United Nations-authorized activities, calls upon troop-contributing countries to the Mission, as appropriate, to provide support to this end, and requests the Secretary-General to provide his support to this effect;

12. *Strongly supports and encourages* the ongoing humanitarian relief efforts in Somalia, recalls its resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel, calls upon all parties and armed groups in Somalia to take appropriate steps to ensure the safety and security of Mission personnel and United Nations and humanitarian personnel, demands that all parties ensure timely, safe and unhindered access for the delivery of humanitarian assistance to all those in need, wherever they may be, and urges the countries in the region to facilitate the provision of humanitarian assistance, including the timely, safe and unhindered passage of essential relief goods into Somalia by land or via airports and seaports;

13. *Requests* the Secretary-General to strengthen ongoing efforts for establishing a United Nations-led mechanism for bringing together and facilitating consultations between humanitarian organizations operating in Somalia, the Transitional Federal Government, donors and other relevant parties in order to help to resolve issues of access, security and provision of humanitarian relief throughout Somalia, and further requests the Secretary-General to report on progress in the report referred to in paragraph 5 above;

14. *Also requests* the Secretary-General to establish an effective capacity within the United Nations Political Office for Somalia to monitor and enhance the protection of human rights in Somalia, and to ensure coordination, as appropriate, between the United Nations Political Office for Somalia, the Office of the United Nations High Commissioner for Human Rights and the independent expert of the Human Rights Council on the situation of human rights in Somalia, and further requests the Secretary-General to report on progress in achieving this in the report referred to in paragraph 5 above;

15. *Supports* the ongoing efforts of the United Nations, the African Union and interested Member States, in close cooperation with the Transitional Federal Government, to develop security sector institutions in Somalia, and requests the Special Representative of the Secretary-General to enhance his coordination role in this area, aligning relevant United Nations programmes and activities of Member States;

16. *Condemns* all and any violations of human rights and international humanitarian law, calls upon all parties in Somalia to respect fully their obligations in this regard, and calls for those responsible for such violations in Somalia to be brought to justice;

17. *Reaffirms* its resolution 1325 (2000) of 31 October 2000 on women and peace and security and its resolutions 1674 (2006) of 28 April 2006 and 1738 (2006) of 23 December 2006 on the protection of civilians in armed conflict, and stresses the responsibility of all parties and armed groups in Somalia to take appropriate steps to protect the civilian population in the country, consistent with international humanitarian, human rights and refugee law, in particular by avoiding any indiscriminate attacks on populated areas;

18. *Also reaffirms* its resolution 1612 (2005) of 26 July 2005 on children and armed conflict, and recalls the subsequent conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties to the armed conflict in Somalia;[100]

19. *Recalls* that, pursuant to Article 65 of the Charter of the United Nations, the Economic and Social Council may furnish information to the Security Council and shall assist the Security Council upon its request;

20. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5893rd meeting.

Decisions

On 30 May 2008, the President of the Security Council addressed the following letter to the Secretary-General:[122]

"I have the honour to inform you that the members of the Security Council have decided to send a mission to Africa from 31 May to 10 June 2008. The mission will travel to Djibouti (on Somalia), the Sudan, Chad, the Democratic Republic of the Congo and Côte d'Ivoire. The segment of the mission concerning Somalia and the Sudan will be co-led by Ambassador Dumisani Kumalo, of South Africa, and Ambassador John Sawers, of the United Kingdom of Great Britain and Northern Ireland. Ambassador Jean-Maurice Ripert, of France, will lead the segment concerning Chad and the Democratic Republic of the Congo and Ambassador Michel Kafando, of Burkina Faso, the Côte d'Ivoire segment.

"The members of the Council have agreed to the attached terms of reference for the mission (annexes I to V). The composition of the mission is as follows:

"Belgium (Ambassador Olivier Belle)

"Burkina Faso (Ambassador Michel Kafando)

"China (Ambassador Liu Zhenmin)

"Costa Rica (Ambassador Jorge Urbina)

"Croatia (Ambassador Ranko Vilović)

"France (Ambassador Jean-Maurice Ripert)

"Indonesia (Ambassador R. M. Marty M. Natalegawa)

"Italy (Ambassador Aldo Mantovani)

"Libyan Arab Jamahiriya (Ambassador Giadalla Ettalhi)

"Panama (Ambassador Alfredo Suescum)

"Russian Federation (Senior Counsellor Vladimir K. Safronkov)

"South Africa (Ambassador Dumisani Kumalo)

"United Kingdom of Great Britain and Northern Ireland (Ambassador John Sawers)

"United States of America (Ambassador Alejandro Wolff)

"Viet Nam (Ambassador Le Luong Minh)

"I should be grateful if you could have the present letter and its annexes circulated as a document of the Security Council.

[122] S/2008/347.

"**Annex I**

"**Security Council mission to Africa: Somalia**

"*Led by Ambassador Dumisani Kumalo (South Africa) and Ambassador John Sawers (United Kingdom of Great Britain and Northern Ireland)*

"**Terms of reference**

"1. To reaffirm the Security Council's respect for the sovereignty, territorial integrity, political independence and unity of Somalia.

"2. To reaffirm the Council's commitment to a comprehensive and lasting settlement of the situation in Somalia through the Transitional Federal Charter, and to stress the importance of broad-based and representative institutions reached through a political process ultimately inclusive of all, as envisaged in the Transitional Federal Charter.

"3. To welcome and encourage the continued efforts of the President, the Prime Minister and the transitional federal institutions to advance the political process and implement the relevant steps of the transitional period, as required by the Transitional Federal Charter, in particular:

- The agreement to prepare a timetable for the constitutional process leading to a referendum and free and democratic elections in 2009;
- The presentation of the reconciliation strategy of the Transitional Federal Government;
- Engagement with clan and local leaders across the country;
- Efforts to improve public finance management, including budgetary and fiscal processes.

"4. To reiterate the need for agreement on a comprehensive and lasting cessation of hostilities and a road map for the remainder of the transitional process.

"5. To express the determination of the Council to assist the Somali efforts through a strengthened presence and a more active role of the United Nations, including practical support of the Special Representative of the Secretary-General for Somalia and the United Nations Political Office for Somalia, in fostering dialogue among Somali parties, contributing to the creation of a stable security environment, and coordinating the United Nations integrated approach towards Somalia.

"6. To recognize the contribution that the African Union Mission in Somalia is making to lasting peace and stability in Somalia, and to highlight the need to provide financial resources, personnel, equipment and services for the full deployment of the Mission.

"7. To express the Council's deep concern at the persistence of violations of human rights and international humanitarian law in Somalia, underlining the need for those responsible to be brought to justice, and to support work to promote and enhance the protection of human rights in Somalia.

"8. To register the Council's serious concern at the worsening humanitarian situation in Somalia and to call upon all parties and armed groups in Somalia to take appropriate steps to protect the civilian population, to ensure the safety and security of Mission personnel and United Nations and humanitarian personnel, and to permit timely, safe and unhindered access for the delivery of humanitarian assistance to all those in need.

"**Annex II**

"**Security Council mission to Africa: Sudan**

"*Led by Ambassador Dumisani Kumalo (South Africa) and Ambassador John Sawers (United Kingdom of Great Britain and Northern Ireland)*

"**Terms of reference**

"1. To reaffirm the Security Council's commitment to the sovereignty, unity and territorial integrity of the Sudan and the determination of the international community to implement the Comprehensive Peace Agreement of 9 January 2005[123] and resolve the situation in Darfur.

"2. To stress that successful implementation of the Comprehensive Peace Agreement is essential to sustainable peace and stability throughout the Sudan, including Darfur, and in the region and to encourage further cooperation between the National Congress Party and the Sudan People's Liberation Movement in carrying out their responsibilities to further implement the Agreement.

"3. To urge the Government of the Sudan to intensify its efforts to resolve the crisis in Darfur, while expressing the Council's deep concern at the ongoing violence, impunity and consequent deterioration in the humanitarian situation in that region.

"4. To reiterate the Council's support for the political process under the mediation of the United Nations Special Envoy for Darfur, Mr. Jan Eliasson, and the African Union Special Envoy for Darfur, Mr. Salim Ahmed Salim, and to urge all parties to end the violence and engage constructively in a peace process in Darfur with a view to finding lasting peace in the Sudan.

"5. To demonstrate the Council's profound appreciation of and support for the African Union-United Nations Hybrid Operation in Darfur (UNAMID) and its personnel, and to reiterate its call upon the Government of the Sudan, donors, troop contributors and all relevant parties to facilitate the full deployment of the force at the earliest opportunity as planned by the Secretary-General.

"6. To underline its concern for the security of civilians and humanitarian aid workers and about humanitarian access to populations in need, and to call upon all parties in Darfur to cease offensive actions and allow full, safe and unhindered access of relief personnel to all those in need.

"7. To reiterate its conviction that a reduction in tensions between the Governments of the Sudan and Chad is essential for lasting regional security and to call upon both Governments to abide by their obligations under the Dakar Agreement of 13 March 2008, the Tripoli Agreement of 8 February 2006[124] and other bilateral agreements.

"8. To underline the need to ensure that all Council resolutions are implemented, that the rule of law is upheld in all situations and that due process takes its course.

"**Annex III**

"**Security Council mission to Africa: Chad**

"*Led by Ambassador Jean-Maurice Ripert (France)*

"**Terms of reference**

"1. To reaffirm the Security Council's commitment to the sovereignty, unity, territorial integrity and political independence of Chad and to the cause of peace in the region, in the

[123] S/2005/78, annex.

[124] Tripoli Agreement to Settle the Dispute between the Republic of Chad and the Republic of the Sudan (see S/2006/103).

context of the ongoing violence and activities of armed groups in Darfur, eastern Chad and the north-eastern Central African Republic.

"2. To stress the Council's commitment to help the Chadian and Central African authorities to protect refugees from Darfur, internally displaced persons and other vulnerable civilian populations and facilitate the delivery of humanitarian assistance in eastern Chad and the north-eastern Central African Republic, through the deployment of a multidimensional presence in those areas.

"3. To demonstrate the Council's support for the United Nations Mission in the Central African Republic and Chad and the European Union operation in Chad and the Central African Republic, and to recall that the Council has requested the Secretary-General to report to it in September 2008, after due consultations with the Governments of Chad and the Central African Republic, on the arrangements for following up the European Union operation, including a possible United Nations operation, depending on the developments in the situation.

"4. To reiterate its conviction that a reduction in tensions between the Governments of the Sudan and Chad is essential for lasting regional security and to call upon both Governments to abide by their obligations under the Dakar Agreement of 13 March 2008, the Tripoli Agreement of 8 February 2006[124] and other bilateral agreements.

"5. To recall the Council's condemnation of the continuing activity of rebel armed groups in Chad, and to urge all concerned parties to respect the Sirte Agreement of 25 October 2007.

"6. To encourage the Chadian authorities to persevere in promoting political dialogue with respect for the constitutional framework, as initiated by the agreement of 13 August 2007.

"Annex IV

"Security Council mission to Africa: Democratic Republic of the Congo

"*Led by Ambassador Jean-Maurice Ripert (France)*

"Terms of reference

"1. To acknowledge the primary responsibility of the Government of the Democratic Republic of the Congo to consolidate peace and stability and to promote recovery and development in the country, which require long-term sustained efforts and appropriate international support.

"2. To reaffirm the Security Council's commitment to contribute to the consolidation of peace and stability in the Democratic Republic of the Congo, in particular through the United Nations Organization Mission in the Democratic Republic of the Congo, bearing in mind that the Council has requested the Secretary-General to develop benchmarks for a future gradual drawdown of the Mission.

"3. To express the Council's strong support for the new dynamic launched by the Nairobi joint communiqué of 9 November 2007[125] and the Goma conference of 6 to 23 January 2008, which together represent a major step towards the restoration of lasting peace and stability in the eastern part of the Democratic Republic of the Congo and the Great Lakes region.

"4. To stress the Council's demand, as made, in particular, in resolution 1804 (2008), that the militias and armed groups that are still present in the eastern part of the Democratic Republic of the Congo lay down their arms, and to encourage efforts by the Government of

[125] S/2007/679, annex.

the Democratic Republic of the Congo and regional cooperation to this effect, including improved relations between the Democratic Republic of the Congo and the Republic of Rwanda.

"5. To urge the Congolese authorities, with the support of other States concerned, especially those in the region, to take appropriate steps to end the illegal trade in natural resources.

"6. To call upon the Congolese authorities to intensify as a matter of urgency their efforts to reform the security sector, including the army, the police and the justice sector, to welcome in this regard the round table on the reform of the security sector that was held in Kinshasa on 25 and 26 February 2008 and to discuss the way forward.

"7. To emphasize the Council's support for the strengthening of democratic institutions, the rule of law and good governance in the Democratic Republic of the Congo, including through the timely holding of local elections.

"8. To encourage further efforts to address the grave humanitarian situation that persists in the Democratic Republic of the Congo, to protect vulnerable civilian populations, to promote and protect human rights and to fight impunity, including with regard to sexual violence perpetrated by armed elements.

"**Annex V**

"**Security Council mission to Africa: Côte d'Ivoire**

"*Led by Ambassador Michel Kafando (Burkina Faso)*

"**Terms of reference**

"1. To welcome the ownership of the peace process by the Ivorian parties within the framework of the Ouagadougou Political Agreement[126] and its supplementary agreements.

"2. To welcome the significant progress made since the signing of the Agreement and its supplementary agreements.

"3. To express the Council's support for the activities of the Facilitator, his Special Representative and the Special Representative of the Secretary-General for Côte d'Ivoire.

"4. To further encourage the parties to implement fully and in good faith all the provisions of the Agreement and its supplementary agreements, underline the need to meet the timelines established therein and assure them of the Council's support in that regard.

"5. To welcome the signing of regulatory decrees relating to the organization of the elections, in particular setting the date of the first round of the presidential election for 30 November 2008.

"6. To urge the Government of Côte d'Ivoire and the Independent Electoral Commission to resolve promptly the technical issues concerning the elections.

"7. To welcome the signing on 24 April 2008 of the Code of Good Conduct by the major political parties in Côte d'Ivoire, and stress the need for it to be observed scrupulously by all the signatories.

"8. To call upon the parties to ensure an environment favourable to the holding of free, open, fair and transparent elections, recall the importance of certification of all stages of the electoral process by the Special Representative of the Secretary-General and encourage the Government to facilitate the presence of international observers during the elections.

[126] S/2007/144, annex.

"9. To encourage the Government to ensure the security of polling places, voters and the Independent Electoral Commission and its local branches.

"10. To encourage the involvement of civil society in the implementation of the Agreement, in particular the electoral process.

"11. To point out that the Council will examine the sanctions regime in the light of developments in the peace process and the elections.

"12. To urge the Ivorian parties to ensure the protection of the civilian population, in particular women and children.

"13. To commend and encourage the United Nations Operation in Côte d'Ivoire and Force Licorne for their peacekeeping efforts."

At its 5902nd meeting, on 2 June 2008, the Council decided to invite the representatives of Australia, Canada, Denmark, Greece, Japan, the Netherlands, Norway, the Republic of Korea, Somalia and Spain to participate, without vote, in the discussion of the item entitled "The situation in Somalia".

Resolution 1816 (2008)
of 2 June 2008

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the situation in Somalia,

Gravely concerned by the threat that acts of piracy and armed robbery against vessels pose to the prompt, safe and effective delivery of humanitarian aid to Somalia, the safety of commercial maritime routes and to international navigation,

Expressing its concerns at the quarterly reports from the International Maritime Organization since 2005, which provide evidence of continuing piracy and armed robbery, in particular in the waters off the coast of Somalia,

Affirming that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 ("the Convention"),[127] sets out the legal framework applicable to combating piracy and armed robbery, as well as other ocean activities,

Reaffirming the relevant provisions of international law with respect to the repression of piracy, including the Convention, and recalling that they provide guiding principles for cooperation to the fullest possible extent in the repression of piracy on the high seas or in any other place outside the jurisdiction of any State, including but not limited to boarding, searching and seizing vessels engaged in or suspected of engaging in acts of piracy, and to apprehending persons engaged in such acts with a view to such persons being prosecuted,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia,

Taking into account the crisis situation in Somalia and the lack of capacity of the Transitional Federal Government to interdict pirates or patrol and secure either the international sea lanes off the coast of Somalia or Somalia's territorial waters,

Deploring the recent incidents of attacks upon and hijacking of vessels in the territorial waters and on the high seas off the coast of Somalia, including attacks upon and hijackings of vessels operated by the World Food Programme and numerous commercial vessels, and the serious adverse impact of these attacks on the prompt, safe and effective delivery of food aid and

[127] United Nations, *Treaty Series*, vol. 1833, No. 31363.

other humanitarian assistance to the people of Somalia and the grave dangers they pose to vessels, crews, passengers and cargo,

Taking note of the letters dated 5 July and 18 September 2007 from the Secretary-General of the International Maritime Organization to the Secretary-General of the United Nations regarding the piracy problems off the coast of Somalia, and of resolution A.1002(25) adopted by the Assembly of the International Maritime Organization on 29 November 2007, in which Governments were strongly urged to increase their efforts to prevent and repress, within the provisions of international law, acts of piracy and armed robbery against vessels, irrespective of where such acts occur, and recalling the joint communiqué issued by the International Maritime Organization and the World Food Programme on 10 July 2007,

Taking note also of the letter dated 9 November 2007 from the Secretary-General to the President of the Security Council reporting that the Transitional Federal Government needs and would welcome international assistance to address the problem,

Taking note further of the letter dated 27 February 2008 from the Permanent Representative of Somalia to the United Nations addressed to the President of the Security Council conveying the consent of the Transitional Federal Government to the Council for urgent assistance in securing the territorial and international waters off the coast of Somalia for the safe conduct of shipping and navigation,

Determining that the incidents of piracy and armed robbery against vessels in the territorial waters of Somalia and the high seas off the coast of Somalia exacerbate the situation in Somalia which continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Condemns and deplores* all acts of piracy and armed robbery against vessels in territorial waters and the high seas off the coast of Somalia;

2. *Urges* States whose naval vessels and military aircraft operate on the high seas and airspace off the coast of Somalia to be vigilant to acts of piracy and armed robbery, and in this context encourages, in particular, States interested in the use of commercial maritime routes off the coast of Somalia to increase and coordinate their efforts to deter acts of piracy and armed robbery at sea in cooperation with the Transitional Federal Government;

3. *Urges* all States to cooperate with each other, with the International Maritime Organization and, as appropriate, with the relevant regional organizations in connection with, and share information about, acts of piracy and armed robbery in the territorial waters and on the high seas off the coast of Somalia, and to render assistance to vessels threatened by or under attack by pirates or armed robbers, in accordance with relevant international law;

4. *Urges* States to work in cooperation with interested organizations, including the International Maritime Organization, to ensure that vessels entitled to fly their flag receive appropriate guidance and training on avoidance, evasion and defensive techniques and to avoid the area whenever possible;

5. *Calls upon* States and interested organizations, including the International Maritime Organization, to provide technical assistance to Somalia and nearby coastal States, upon their request, to enhance the capacity of these States to ensure coastal and maritime security, including combating piracy and armed robbery off the Somali and nearby coastlines;

6. *Affirms* that the measures imposed by paragraph 5 of resolution 733 (1992) of 23 January 1992 and further elaborated upon in paragraphs 1 and 2 of resolution 1425 (2002) of 22 July 2002 do not apply to supplies of technical assistance to Somalia solely for the purposes set out in paragraph 5 above, which have been exempted from those measures in accordance with the procedure set out in paragraphs 11 (*b*) and 12 of resolution 1772 (2007) of 20 August 2007;

7. *Decides* that, for a period of six months from the date of the present resolution, States cooperating with the Transitional Federal Government in the fight against piracy and armed

robbery at sea off the coast of Somalia, for which advance notification has been provided by the Transitional Federal Government to the Secretary-General, may:

(*a*) Enter the territorial waters of Somalia for the purpose of repressing acts of piracy and armed robbery at sea, in a manner consistent with such action permitted on the high seas with respect to piracy under relevant international law; and

(*b*) Use, within the territorial waters of Somalia, in a manner consistent with action permitted on the high seas with respect to piracy under relevant international law, all necessary means to repress acts of piracy and armed robbery;

8. *Requests* that cooperating States take appropriate steps to ensure that the activities they undertake pursuant to the authorization in paragraph 7 above do not have the practical effect of denying or impairing the right of innocent passage to the ships of any third State;

9. *Affirms* that the authorization provided in the present resolution applies only with respect to the situation in Somalia and shall not affect the rights or obligations or responsibilities of Member States under international law, including any rights or obligations under the Convention,[127] with respect to any other situation, and underscores in particular that it shall not be considered as establishing customary international law, and affirms further that this authorization has been provided only following receipt of the letter dated 27 February 2008 from the Permanent Representative of Somalia to the United Nations addressed to the President of the Security Council conveying the consent of the Transitional Federal Government;

10. *Calls upon* States to coordinate their actions with other participating States taken pursuant to paragraphs 5 and 7 above;

11. *Calls upon* all States, and in particular flag, port and coastal States, States of the nationality of victims and perpetrators of piracy and armed robbery, and other States with relevant jurisdiction under international law and national legislation, to cooperate in determining jurisdiction and in the investigation and prosecution of persons responsible for acts of piracy and armed robbery off the coast of Somalia, consistent with applicable international law, including international human rights law, and to render assistance by, among other actions, providing disposition and logistics assistance with respect to persons under their jurisdiction and control, such as victims and witnesses and persons detained as a result of operations conducted under the present resolution;

12. *Requests* States cooperating with the Transitional Federal Government to inform the Security Council within three months of the progress of actions undertaken in the exercise of the authority provided in paragraph 7 above;

13. *Requests* the Secretary-General to report to the Council within five months of the adoption of the present resolution on the implementation of the present resolution and on the situation with respect to piracy and armed robbery in territorial waters and the high seas off the coast of Somalia;

14. *Requests* the Secretary-General of the International Maritime Organization to brief the Council on the basis of cases brought to his attention by the agreement of all affected coastal States, and duly taking into account the existing bilateral and regional cooperative arrangements, on the situation with respect to piracy and armed robbery;

15. *Expresses its intention* to review the situation and consider, as appropriate, renewing the authority provided in paragraph 7 above for additional periods upon the request of the Transitional Federal Government;

16. *Decides* to remain seized of the matter.

Adopted unanimously at the 5902nd meeting.

Decisions

At its 5942nd meeting, on 23 July 2008, the Security Council decided to invite the representative of Somalia (Minister for Foreign Affairs and International Cooperation) to participate, without vote, in the discussion of the item entitled:

"The situation in Somalia

"Report of the Secretary-General on the situation in Somalia (S/2008/466)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ahmedou Ould-Abdallah, Special Representative of the Secretary-General for Somalia.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ramtane Lamamra, Commissioner for Peace and Security of the African Union, in response to the request dated 22 July 2008 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Council.

ITEMS RELATING TO THE SITUATION IN THE FORMER YUGOSLAVIA

A. The situation in Bosnia and Herzegovina[128]

Decisions

At its 5780th meeting, held in private on 15 November 2007, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5780th meeting, held in private on 15 November 2007, the Security Council considered the item entitled 'The situation in Bosnia and Herzegovina'.

"The President, with the consent of the Council, invited the Acting Chairman of the Council of Ministers of Bosnia and Herzegovina and the representatives of Portugal and Serbia to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"In accordance with the understanding reached in the Council's prior consultations, the President extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Miroslav Lajčák, High Representative for Bosnia and Herzegovina.

"The members of the Council heard a briefing by Mr. Lajčák.

"The members of the Council heard a statement by Mr. Nikola Špirić, Acting Chairman of the Council of Ministers of Bosnia and Herzegovina.

"Members of the Council, Mr. Lajčák, Mr. Špirić and the representatives of Portugal and Serbia had an exchange of views."

At its 5782nd meeting, on 21 November 2007, the Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

"Letter dated 5 November 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/651)".

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[128] Resolutions or decisions on this question were first adopted by the Security Council in 1992.

Resolution 1785 (2007) of 21 November 2007

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia and the relevant statements by its President, including resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996, 1423 (2002) of 12 July 2002, 1491 (2003) of 11 July 2003, 1551 (2004) of 9 July 2004, 1575 (2004) of 22 November 2004, 1639 (2005) of 21 November 2005, 1722 (2006) of 21 November 2006 and 1764 (2007) of 29 June 2007,

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Emphasizing its full support for the continued role in Bosnia and Herzegovina of the High Representative for Bosnia and Herzegovina,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[129] as well as the relevant decisions of the Peace Implementation Council,

Recalling all the agreements concerning the status of forces referred to in appendix B to annex 1-A of the Peace Agreement, and reminding the parties of their obligation to continue to comply therewith,

Recalling also the provisions of its resolution 1551 (2004) concerning the provisional application of the status-of-forces agreements contained in appendix B to annex 1-A of the Peace Agreement,

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational stabilization force (the European Union Force), the Senior Military Representative and personnel of the North Atlantic Treaty Organization Headquarters Sarajevo, the Organization for Security and Cooperation in Europe, the European Union and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Emphasizing that a comprehensive and coordinated return of refugees and displaced persons throughout the region continues to be crucial to lasting peace,

Recalling the declarations of the ministerial meetings of the Peace Implementation Council,

Recognizing that full implementation of the Peace Agreement is not yet complete, while paying tribute to the achievements of the authorities at State and entity level in Bosnia and Herzegovina and of the international community in the twelve years since the signing of the Peace Agreement,

Emphasizing the importance of Bosnia and Herzegovina's progress towards Euro-Atlantic integration on the basis of the Peace Agreement, while recognizing the importance of Bosnia and Herzegovina's transition to a functional, reform-oriented, modern and democratic European country,

Taking note of the reports of the High Representative, including his latest report, of 2 November 2007,[130]

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

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[129] See S/1995/999.

[130] See S/2007/651.

Recalling the relevant principles contained in the Convention on the Safety of United Nations and Associated Personnel of 9 December 1994[131] and the statement by its President of 9 February 2000,[132]

Welcoming and encouraging efforts by the United Nations to sensitize peacekeeping personnel in the prevention and control of HIV/AIDS and other communicable diseases in all its peacekeeping operations,

Taking note of the conclusions of the Ministers for Foreign Affairs and Ministers of Defence of the European Union at their joint meeting held on 14 and 15 May 2007, in which they reiterate that the European Union would retain a military presence in the country as long as necessary, in order to continue contributing to the maintenance of a safe and secure environment,

Recalling the letters between the European Union and the North Atlantic Treaty Organization sent to the Security Council on 19 November 2004 on how those organizations will cooperate together in Bosnia and Herzegovina,[133] in which both organizations recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement,

Recalling also the confirmation by the Presidency of Bosnia and Herzegovina, on behalf of Bosnia and Herzegovina, including its constituent entities, of the arrangements for the European Union Force and the North Atlantic Treaty Organization Headquarters presence,[134]

Welcoming the increased engagement of the European Union in Bosnia and Herzegovina and the continued engagement of the North Atlantic Treaty Organization,

Noting that Bosnia and Herzegovina has made very limited progress towards the European Union and, in particular, towards the conclusion of a Stabilization and Association Agreement, despite the fact that the text of the Agreement has been finalized, and reiterating its call upon the authorities in Bosnia and Herzegovina to implement in full their undertakings, as also confirmed in the declaration by the Steering Board of the Peace Implementation Council of 31 October 2007,[130]

Determining that the situation in the region continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter,

1. *Reaffirms once again its support* for the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[129] as well as for the Dayton Agreement on Implementing the Federation of Bosnia and Herzegovina of 10 November 1995,[135] and calls upon the parties to comply strictly with their obligations under those Agreements;

2. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia

[131] United Nations, *Treaty Series*, vol. 2051, No. 35457.

[132] S/PRST/2000/4.

[133] See S/2004/915 and S/2004/916.

[134] See S/2004/917.

[135] S/1995/1021, annex.

since 1991, in strengthening joint institutions, which foster the building of a fully functioning self-sustaining State able to integrate itself into the European structures, and in facilitating returns of refugees and displaced persons;

3. *Reminds* the parties once again that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and underlines that full cooperation by States and entities with the Tribunal includes, inter alia, the surrender for trial or apprehension of all persons indicted by the Tribunal and the provision of information to assist in Tribunal investigations;

4. *Emphasizes its full support* for the continued role of the High Representative for Bosnia and Herzegovina in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that, under annex 10 of the Peace Agreement, the High Representative is the final authority in theatre regarding the interpretation of civilian implementation of the Peace Agreement and that, in case of dispute, he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn, Germany, on 9 and 10 December 1997;[136]

5. *Expresses its support* for the declarations of the ministerial meetings of the Peace Implementation Council;

6. *Reaffirms* its intention to keep implementation of the Peace Agreement and the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 18 and 21 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

7. *Recalls* the support of the authorities of Bosnia and Herzegovina for the European Union Force and the continued North Atlantic Treaty Organization presence and their confirmation that both are the legal successors to the Stabilization Force for the fulfilment of their missions for the purposes of the Peace Agreement, its annexes and appendices and relevant Security Council resolutions and can take such actions as are required, including the use of force, to ensure compliance with annexes 1-A and 2 of the Peace Agreement and relevant Council resolutions;

8. *Pays tribute* to those Member States which participated in the multinational stabilization force (the European Union Force), and in the continued North Atlantic Treaty Organization presence, established in accordance with its resolution 1575 (2004) and extended by its resolutions 1639 (2005) and 1722 (2006), and welcomes their willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational stabilization force (the European Union Force) and by maintaining a continued North Atlantic Treaty Organization presence;

9. *Welcomes* the intention of the European Union to maintain a European Union military operation to Bosnia and Herzegovina from November 2007;

10. *Authorizes* the Member States acting through or in cooperation with the European Union to establish for a further period of twelve months, starting from the date of the adoption of the present resolution, a multinational stabilization force (the European Union Force) as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in

[136] See S/1997/979, annex.

cooperation with the North Atlantic Treaty Organization Headquarters presence in accordance with the arrangements agreed between the North Atlantic Treaty Organization and the European Union as communicated to the Security Council in their letters of 19 November 2004,[33] which recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement;

11. *Welcomes* the decision of the North Atlantic Treaty Organization to continue to maintain a presence in Bosnia and Herzegovina in the form of a North Atlantic Treaty Organization Headquarters in order to continue to assist in implementing the Peace Agreement in conjunction with the European Union Force, and authorizes the Member States acting through or in cooperation with the North Atlantic Treaty Organization to continue to maintain a North Atlantic Treaty Organization Headquarters as a legal successor to the Stabilization Force under unified command and control, which will fulfil its missions in relation to the implementation of annexes 1-A and 2 of the Peace Agreement in cooperation with the European Union Force in accordance with the arrangements agreed between the North Atlantic Treaty Organization and the European Union as communicated to the Security Council in their letters of 19 November 2004, which recognize that the European Union Force will have the main peace stabilization role under the military aspects of the Peace Agreement;

12. *Reaffirms* that the Peace Agreement and the provisions of its previous relevant resolutions shall apply to and in respect of both the European Union Force and the North Atlantic Treaty Organization presence as they have applied to and in respect of the Stabilization Force and that, therefore, references in the Peace Agreement, in particular in annex 1-A and the appendices thereto, and in relevant resolutions to the Implementation Force and/or the Stabilization Force, the North Atlantic Treaty Organization and the North Atlantic Council shall be read as applying, as appropriate, to the North Atlantic Treaty Organization presence, the European Union Force, the European Union and the Political and Security Committee and Council of the European Union respectively;

13. *Expresses its intention* to consider the terms of further authorization as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

14. *Authorizes* the Member States acting under paragraphs 10 and 11 above to take all necessary measures to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for compliance with those annexes and shall be equally subject to such enforcement action by the European Union Force and the North Atlantic Treaty Organization presence as may be necessary to ensure implementation of those annexes and the protection of the European Union Force and the North Atlantic Treaty Organization presence;

15. *Authorizes* Member States to take all necessary measures, at the request of either the European Union Force or the North Atlantic Treaty Organization Headquarters, in defence of the European Union Force or the North Atlantic Treaty Organization presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both the European Union Force and the North Atlantic Treaty Organization presence to take all necessary measures to defend themselves from attack or threat of attack;

16. *Authorizes* the Member States acting under paragraphs 10 and 11 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

17. *Demands* that the parties respect the security and freedom of movement of the European Union Force, the North Atlantic Treaty Organization presence and other international personnel;

18. *Requests* the Member States acting through or in cooperation with the European Union and the Member States acting through or in cooperation with the North Atlantic Treaty

Organization to report to the Security Council on the activity of the European Union Force and the North Atlantic Treaty Organization Headquarters presence respectively, through the appropriate channels and at least at three-monthly intervals;

19. *Invites* all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraphs 10 and 11 above;

20. *Reiterates its appreciation* for the deployment by the European Union of its Police Mission to Bosnia and Herzegovina since 1 January 2003;

21. *Requests* the Secretary-General to continue to submit to the Council reports from the High Representative, in accordance with annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in London on 4 and 5 December 1996,[137] and later Peace Implementation Conferences, on the implementation of the Peace Agreement and, in particular, on compliance by the parties with their commitments under that Agreement;

22. *Decides* to remain seized of the matter.

Adopted unanimously at the 5782nd meeting.

Decisions

At its 5894th meeting, on 19 May 2008, the Security Council decided to invite the representatives of Bosnia and Herzegovina (Chairman of the Council of Ministers), Serbia and Slovenia to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

"Letter dated 6 May 2008 from the Secretary-General addressed to the President of the Security Council (S/2008/300)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Miroslav Lajčák, High Representative for Bosnia and Herzegovina.

B. Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)[138]

Decisions

At its 5811th meeting, held in private on 19 December 2007, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5811th meeting, held in private on 19 December 2007, the Security Council considered the item entitled 'Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)'.

"The President, with the consent of the Council, invited the representatives of Albania, Argentina, Armenia, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Cuba, Cyprus, the Czech Republic, Denmark, Finland, Germany, Greece, Hungary, Iceland, Japan, Latvia, Liechtenstein, Moldova, Montenegro, Morocco, New Zealand, Norway, Pakistan, Poland, Portugal, Romania, Serbia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey and Ukraine to participate

[137] See S/1996/1012, annex.

[138] Resolutions or decisions on this question were first adopted by the Security Council in 1999.

in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Fatmir Sejdiu.

"Members of the Council, the Prime Minister of the Republic of Serbia and Mr. Sejdiu had an exchange of views."

At its 5821st meeting, on 16 January 2008, the Council decided to invite the representative of Serbia (President of the Republic of Serbia) to participate, without vote, in the discussion of the item entitled:

"Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

"Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2007/768)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Joachim Rücker, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

At its 5822nd meeting, held in private on 16 January 2008, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5822nd meeting, held in private on 16 January 2008, the Security Council considered the item entitled 'Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)'.

"The President, with the consent of the Council, invited the representatives of Albania, Armenia, Australia, Austria, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Canada, Cuba, Cyprus, the Czech Republic, Denmark, Finland, Georgia, Germany, Greece, Hungary, Iceland, India, Ireland, Israel, Japan, Liechtenstein, Mexico, Montenegro, the Netherlands, New Zealand, Norway, Pakistan, Poland, the Republic of Korea, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey and Ukraine to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"Pursuant to the decision taken at the 5821st meeting, the President, with the consent of the Council, extended an invitation under rule 37 of the provisional rules of procedure of the Council to Mr. Boris Tadić, President of the Republic of Serbia.

"Pursuant to the decision taken at the 5821st meeting, the President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Joachim Rücker, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

"In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Hashim Thaçi.

"Members of the Council, the President of the Republic of Serbia, Mr. Rücker and Mr. Thaçi had an exchange of views."

At its 5835th meeting, held in private on 14 February 2008, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5835th meeting, held in private on 14 February 2008, the Security Council considered the item entitled 'Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)'.
>
> "The President, with the consent of the Council, invited the Minister for Foreign Affairs of Serbia, Mr. Vuk Jeremić, to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.
>
> "Members of the Council and the Minister for Foreign Affairs of Serbia had an exchange of views."

At its 5839th meeting, on 18 February 2008, the Council decided to invite the representative of Serbia (President of the Republic of Serbia) to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Letter dated 17 February 2008 from the Permanent Representative of Serbia to the United Nations addressed to the President of the Security Council (S/2008/103)
> >
> > "Letter dated 17 February 2008 from the Permanent Representative of the Russian Federation to the United Nations addressed to the President of the Security Council (S/2008/104)".

At its 5850th meeting, on 11 March 2008, the Council decided to invite the representative of Serbia (Minister for Foreign Affairs) to participate, without vote, in the discussion of the item entitled:

> "Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)
>
> > "Letter dated 6 March 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Serbia to the United Nations addressed to the President of the Security Council (S/2008/162)".

At its 5871st meeting, held in private on 21 April 2008, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "At its 5871st meeting, held in private on 21 April 2008, the Security Council considered the item entitled 'Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)'.
>
> "The President, with the consent of the Council, invited Mr. Boris Tadić, President of the Republic of Serbia, and the representatives of Albania, Austria, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Cuba, Cyprus, the Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Hungary, Iceland, India, Ireland, Japan, Latvia, Liechtenstein, Mexico, Montenegro, Morocco, the Netherlands, New Zealand, Poland, Portugal, the Republic of Korea, Romania, San Marino, Singapore, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine and Uzbekistan to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Joachim Rücker, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

"In accordance with the understanding reached in the Council's prior consultations, the President, with the consent of the Council, also extended an invitation under rule 39 of the provisional rules of procedure of the Council to Mr. Hashim Thaçi.

"Members of the Council, Mr. Rücker, Mr. Tadić and Mr. Thaçi had an exchange of views."

At its 5917th meeting, on 20 June 2008, the Council decided to invite the representative of Serbia (President of the Republic of Serbia) to participate, without vote, in the discussion of the item entitled:

"Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

"Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2008/354)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Fatmir Sejdiu.

On 23 June 2008, the President of the Security Council addressed the following letter to the Secretary-General:[139]

"I have the honour to inform you that your letter dated 20 June 2008 concerning your intention to appoint Mr. Lamberto Zannier, of Italy, as your Special Representative for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo[140] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5944th meeting, on 25 July 2008, the Council decided to invite the representative of Serbia (Minister for Foreign Affairs) to participate, without vote, in the discussion of the item entitled:

"Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

"Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2008/458)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Lamberto Zannier, Special Representative of the Secretary-General for Kosovo and Head of the United Nations Interim Administration Mission in Kosovo.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Skënder Hyseni.

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[139] S/2008/412.

[140] S/2008/411.

C. International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[141]

Decision

At its 5742nd meeting, on 14 September 2007, the Security Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

"Letter dated 31 July 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/538)".

Resolution 1775 (2007) of 14 September 2007

The Security Council,

Recalling its resolution 1504 (2003) of 4 September 2003,

Having regard to article 16, paragraph 4, of the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991,

Aware that the term of office of Ms. Carla Del Ponte as Prosecutor of the International Tribunal for the Former Yugoslavia expires on 14 September 2007,

Noting the need to ensure a smooth transition between the departure of Ms. Del Ponte and the assumption of office of her successor,

Having considered the request of the Secretary-General to extend the appointment of Ms. Del Ponte from 15 September 2007 to 31 December 2007,[142]

Noting the intention of the Secretary-General to submit the name of his nominee for the position of Prosecutor of the International Tribunal for the Former Yugoslavia,

Decides, notwithstanding the provisions of article 16, paragraph 4, of the statute of the International Tribunal for the Former Yugoslavia, to extend for a final period the appointment of Ms. Carla Del Ponte as Prosecutor of the International Tribunal for the Former Yugoslavia with effect from 15 September 2007 until 31 December 2007.

Adopted at the 5742nd meeting
by 14 votes to none, with 1 abstention
(Russian Federation).

Decision

At its 5785th meeting, on 28 November 2007, the Security Council considered the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

"Letter dated 12 November 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/678)".

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[141] Resolutions or decisions on this question were first adopted by the Security Council in 1996.

[142] See S/2007/538.

Resolution 1786 (2007) of 28 November 2007

The Security Council,

Recalling its resolution 1775 (2007) of 14 September 2007,

Having regard to article 16, paragraph 4, of the statute of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991,

Having considered the nomination by the Secretary-General of Mr. Serge Brammertz for the position of Prosecutor of the International Tribunal for the Former Yugoslavia,[143]

Recalling that in its resolution 1503 (2003) of 28 August 2003, it called upon the International Tribunal for the Former Yugoslavia to take all possible measures to complete all trial activities at first instance by the end of 2008, and to complete all work in 2010 (the International Tribunal's completion strategy),

Recalling also its resolution 1534 (2004) of 26 March 2004, in which it emphasized the importance of fully implementing the International Tribunal's completion strategy and urged the International Tribunal to plan and act accordingly,

Decides to appoint Mr. Serge Brammertz as Prosecutor of the International Tribunal for the Former Yugoslavia with effect from 1 January 2008 for a four-year term, which is subject to an earlier termination by the Security Council upon completion of the work of the International Tribunal.

Adopted unanimously at the 5785th meeting.

Decision

At its 5841st meeting, on 20 February 2008, the Security Council considered the item entitled "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991".

Resolution 1800 (2008) of 20 February 2008

The Security Council,

Recalling its resolutions 1581 (2005) of 18 January 2005, 1597 (2005) of 20 April 2005, 1613 (2005) of 26 July 2005, 1629 (2005) of 30 September 2005, 1660 (2006) of 28 February 2006 and 1668 (2006) of 10 April 2006,

Taking note of the letters dated 31 December 2007[144] and 22 January[145] and 8 February 2008[146] from the Secretary-General to the President of the Security Council,

Having considered the proposal made by the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (the International Tribunal) that the Secretary-General be authorized, within existing resources, to appoint additional ad litem judges upon request of the President of the International Tribunal, notwithstanding the fact that

[143] See S/2007/678.

[144] S/2007/788.

[145] S/2008/44.

[146] S/2008/99.

their number will from time to time temporarily exceed the maximum of twelve provided for under article 12, paragraph 1, of the statute of the International Tribunal, to a maximum of sixteen at any one time, returning to a maximum of twelve by 31 December 2008, to enable the International Tribunal to conduct additional trials once one or more of the permanent judges of the International Tribunal become available,

Recalling that in its resolution 1503 (2003) of 28 August 2003, it called upon the International Tribunal to take all possible measures to complete all trial activities at first instance by the end of 2008 and to complete all work in 2010 (the International Tribunal's completion strategy), and that in its resolution 1534 (2004) of 26 March 2004, it emphasized the importance of fully implementing the International Tribunal's completion strategy,

Convinced of the advisability of allowing the Secretary-General to appoint ad litem judges additional to the twelve ad litem judges authorized by the statute, as a temporary measure to enable the International Tribunal to conduct additional trials as soon as possible in order to meet completion strategy objectives,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides*, therefore, that the Secretary-General may appoint, within existing resources, additional ad litem judges upon request of the President of the International Tribunal, in order to conduct additional trials, notwithstanding the fact that the total number of ad litem judges appointed to the Chambers will from time to time temporarily exceed the maximum of twelve provided for in article 12, paragraph 1, of the statute of the International Tribunal, to a maximum of sixteen at any one time, returning to a maximum of twelve by 31 December 2008;

2. *Decides also* to remain seized of the matter.

Adopted unanimously at the 5841st meeting.

Decision

On 30 July 2008, the President of the Security Council addressed the following letter to the Secretary-General:[147]

> "I have the honour to inform you that your letter dated 25 July 2008 concerning the composition of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[148] has been brought to the attention of the members of the Security Council. Having consulted those members, I support your intention to appoint Mr. Christoph Flügge as a permanent judge of the Tribunal."

ITEMS RELATING TO THE SITUATION CONCERNING RWANDA

A. The situation concerning Rwanda[149]

Decisions

In a letter dated 30 May 2008, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Africa.[150]

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[147] S/2008/508.

[148] S/2008/507.

[149] Resolutions or decisions on this question were first adopted by the Security Council in 1993.

[150] The letter, which was issued as a Security Council document under the symbol S/2008/347, has been reproduced on page 55 of the present volume. The mission took place from 31 May to 10 June 2008 (see S/2008/460).

At its 5931st meeting, on 10 July 2008, the Council decided to invite the representative of Rwanda to participate, without vote, in the discussion of the item entitled:

"The situation concerning Rwanda

"Letter dated 31 December 2007 from the Chairman of the Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda addressed to the President of the Security Council (S/2007/782)".

Resolution 1823 (2008)
of 10 July 2008

The Security Council,

Recalling its resolutions 918 (1994) of 17 May 1994, 1005 (1995) of 17 July 1995, 1011 (1995) of 16 August 1995, 1013 (1995) of 7 September 1995, 1053 (1996) of 23 April 1996, 1161 (1998) of 9 April 1998 and 1749 (2007) of 28 March 2007,

Having considered the report of 31 December 2007 of the Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda[151] and the oral report of 22 May 2008 by the Chairman of the Committee,

Stressing the importance of the cooperation of all States, in particular those in the region, with the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo and with the Group of Experts established pursuant to resolution 1533 (2004) of 12 March 2004, while carrying out its mandate as renewed by resolution 1807 (2008) of 31 March 2008,

Stressing also the need for States in the region to ensure that arms and related materiel delivered to them are not diverted to or used by illegal armed groups,

Recalling the joint communiqué of the Government of the Democratic Republic of the Congo and the Government of the Republic of Rwanda signed at Nairobi on 9 November 2007[152] and the outcome of the Conference on Peace, Security and Development in North and South Kivu, held in Goma, Democratic Republic of the Congo, from 6 to 23 January 2008, which together represent a major step towards the restoration of lasting peace and stability in the Great Lakes region, and looking forward to their full implementation,

Welcoming the entry into force of the Pact on Security, Stability and Development in the Great Lakes Region, and stressing the importance of its full implementation,

Reiterating its call upon the States of the region to deepen further their cooperation with a view to consolidating peace in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to terminate the prohibitions imposed by paragraphs 9 and 10 of resolution 1011 (1995);

2. *Decides also* to dissolve the Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda.

Adopted unanimously at the 5931st meeting.

[151] S/2007/782, annex.

[152] S/2007/679, annex.

B. International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994[153]

Decision

At its 5741st meeting, on 14 September 2007, the Security Council considered the item entitled:

> "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994
>
> > "Letter dated 31 July 2007 from the Secretary-General addressed to the President of the Security Council (S/2007/539)".

Resolution 1774 (2007) of 14 September 2007

The Security Council,

Recalling its resolution 1505 (2003) of 4 September 2003,

Having regard to article 15, paragraph 4, of the statute of the International Criminal Tribunal for Rwanda as adopted by the Security Council in its resolution 1503 (2003) of 28 August 2003,

Having considered the nomination by the Secretary-General of Mr. Hassan Bubacar Jallow for reappointment as Prosecutor of the International Criminal Tribunal for Rwanda,[154]

Recalling that in its resolution 1503 (2003), it called upon the Tribunal to take all possible measures to complete all trial activities at first instance by the end of 2008, and to complete all work in 2010 (the Tribunal's completion strategy),

Recalling also its resolution 1534 (2004) of 26 March 2004, in which it emphasized the importance of fully implementing the Tribunal's completion strategy, and urged the Tribunal to plan and act accordingly,

Decides to reappoint Mr. Hassan Bubacar Jallow as Prosecutor of the International Criminal Tribunal for Rwanda with effect from 15 September 2007 for a four-year term, which is subject to an earlier termination by the Security Council upon completion of the work of the Tribunal.

Adopted unanimously at the 5741st meeting.

Decision

At its 5937th meeting, on 18 July 2008, the Security Council decided to invite the representative of Rwanda to participate, without vote, in the discussion of the item entitled:

> "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such

[153] Resolutions or decisions on this question were first adopted by the Security Council in 1998.

[154] See S/2007/539.

Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

"Identical letters dated 13 June 2008 from the Secretary-General to the President of the General Assembly and the President of the Security Council (S/2008/436)".

Resolution 1824 (2008)
of 18 July 2008[155]

The Security Council,

Taking note of the letter dated 13 June 2008 from the Secretary-General to the President of the Security Council attaching the letter dated 6 June 2008 from the President of the International Criminal Tribunal for Rwanda ("the Tribunal") to the Secretary-General,[156]

Recalling its resolutions 955 (1994) of 8 November 1994, 1165 (1998) of 30 April 1998, 1329 (2000) of 30 November 2000, 1411 (2002) of 17 May 2002, 1431 (2002) of 14 August 2002 and 1449 (2002) of 13 December 2002,

Recalling in particular its resolutions 1503 (2003) of 28 August 2003 and 1534 (2004) of 26 March 2004, in which it called upon the Tribunal to take all possible measures to complete investigations by the end of 2004, to complete all trial activities at first instance by the end of 2008, and to complete all work in 2010,

Recalling that on 13 June 2006, the Council decided, in its resolution 1684 (2006), to extend the term of office of eleven permanent judges of the Tribunal until 31 December 2008, and that on 13 October 2006, the Council decided in its resolution 1717 (2006) to extend the term of office of the eighteen ad litem judges of the Tribunal until 31 December 2008,

Noting that two of the permanent judges and one of the ad litem judges currently serving at the Tribunal have indicated their intention to resign in 2008 upon the completion of their respective cases, and that at this stage it is not expected that their replacement will be necessary,

Noting also the progress made by the Tribunal towards the completion of its trial work at the earliest date,

Noting further the projections provided by the Tribunal as to the completion of all the remaining cases at trial stage before the end of December 2009,

Expressing its expectation that the extension of the terms of office of the judges concerned will enhance the effectiveness of trial proceedings and contribute towards ensuring the implementation of the completion strategy,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the term of office of the following permanent judges of the Tribunal who are members of the Appeals Chamber until 31 December 2010, or until the completion of the cases before the Appeals Chamber if sooner:

   - Mr. Mehmet Güney (Turkey)
   - Ms. Andrésia Vaz (Senegal)

2. *Decides also* to extend the term of office of the following permanent judges of the Tribunal who are members of the Trial Chambers until 31 December 2009, or until the completion of the cases to which they are assigned if sooner:

   - Sir Charles Michael Dennis Byron (Saint Kitts and Nevis)
   - Mr. Asoka de Silva (Sri Lanka)

[155] By a letter dated 21 July 2008 (A/62/910), the President of the Security Council transmitted the text of resolution 1824 (2008) to the President of the General Assembly.

[156] S/2008/436.

- Mr. Sergei Alekseevich Egorov (Russian Federation)
- Ms. Khalida Rachid Khan (Pakistan)
- Mr. Erik Møse (Norway)
- Ms. Arlette Ramaroson (Madagascar)
- Mr. William Hussein Sekule (United Republic of Tanzania)

3. *Decides further* to extend the term of office of the following ad litem judges, currently serving at the Tribunal, until 31 December 2009, or until the completion of the cases to which they are assigned if sooner:

- Ms. Florence Rita Arrey (Cameroon)
- Ms. Solomy Balungi Bossa (Uganda)
- Ms. Taghreed Hikmat (Jordan)
- Mr. Vagn Joensen (Denmark)
- Mr. Gberdao Gustave Kam (Burkina Faso)
- Mr. Lee Gacuiga Muthoga (Kenya)
- Mr. Seon Ki Park (Republic of Korea)
- Mr. Emile Francis Short (Ghana)

4. *Decides* to extend the term of office of the following ad litem judges, who have not yet been appointed to serve at the Tribunal, until 31 December 2009, or until the completion of any cases to which they may be assigned if sooner:

- Mr. Aydin Sefa Akay (Turkey)
- Ms. Karin Hökborg (Sweden)
- Ms. Flavia Lattanzi (Italy)
- Mr. Kenneth Machin (United Kingdom of Great Britain and Northern Ireland)
- Mr. Joseph Edward Chiondo Masanche (United Republic of Tanzania)
- Tan Sri Dato' Hj. Mohd. Azmi Dato' Hj. Kamaruddin (Malaysia)
- Mr. Mparany Mamy Richard Rajohnson (Madagascar)
- Mr. Albertus Henricus Joannes Swart (Netherlands)
- Ms. Aura E. Guerra de Villalaz (Panama)

5. *Decides also* to amend article 11, paragraphs 1 and 2, of the statute of the Tribunal and to replace those paragraphs with the provisions set out in the annex to the present resolution;

6. *Decides further* to remain seized of the matter.

Adopted unanimously at the 5937th meeting.

Annex

Article 11: Composition of the Chambers

1. The Chambers shall be composed of a maximum of sixteen permanent independent judges, no two of whom may be nationals of the same State, and a maximum at any one time of nine ad litem independent judges appointed in accordance with article 12 ter, paragraph 2, of the present Statute, no two of whom may be nationals of the same State.

2. A maximum at any one time of three permanent judges and six ad litem judges shall be members of each Trial Chamber. Each Trial Chamber to which ad litem judges are assigned may be divided into sections of three judges each, composed of both permanent and ad litem judges. A section of a Trial Chamber shall have the same powers and responsibilities as a Trial Chamber under the present Statute and shall render judgement in accordance with the same rules.

INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

INTERNATIONAL CRIMINAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR GENOCIDE AND OTHER SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF RWANDA AND RWANDAN CITIZENS RESPONSIBLE FOR GENOCIDE AND OTHER SUCH VIOLATIONS COMMITTED IN THE TERRITORY OF NEIGHBOURING STATES BETWEEN 1 JANUARY AND 31 DECEMBER 1994[157]

Decisions

At its 5796th meeting, on 10 December 2007, the Security Council decided to invite the representatives of Croatia, Rwanda and Serbia to participate, without vote, in the discussion of the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

> "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

> > "Letter dated 12 November 2007 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/2007/663)

> > "Letter dated 16 November 2007 from the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 addressed to the President of the Security Council (S/2007/676)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Judge Fausto Pocar, President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory

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[157] Resolutions or decisions on this question were first adopted by the Security Council in 1999.

of the Former Yugoslavia since 1991, Judge Dennis Byron, President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, Ms. Carla Del Ponte, Prosecutor of the International Tribunal for the Former Yugoslavia, and Mr. Hassan Bubacar Jallow, Prosecutor of the International Criminal Tribunal for Rwanda.

At its 5904th meeting, on 4 June 2008, the Council decided to invite the representatives of Rwanda, Serbia and Slovenia to participate, without vote, in the discussion of the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991
>
> "International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994
>
> > "Letter dated 13 May 2008 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/2008/326)
> >
> > "Letter dated 12 May 2008 from the President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 addressed to the President of the Security Council (S/2008/322)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Judge Fausto Pocar, President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, Judge Dennis Byron, President of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, Mr. Serge Brammertz, Prosecutor of the International Tribunal for the Former Yugoslavia, and Mr. Hassan Bubacar Jallow, Prosecutor of the International Criminal Tribunal for Rwanda.

THE SITUATION IN GEORGIA[158]

Decision

At its 5759th meeting, on 15 October 2007, the Security Council decided to invite the representative of Germany to participate, without vote, in the discussion of the item entitled:

> "The situation in Georgia
>
> > "Report of the Secretary-General on the situation in Abkhazia, Georgia (S/2007/588)".

[158] Resolutions or decisions on this question were first adopted by the Security Council in 1992.

Resolution 1781 (2007) of 15 October 2007

The Security Council,

Recalling all its relevant resolutions, including resolution 1752 (2007) of 13 April 2007,

Welcoming the reports of the Secretary-General of 18 July[159] and 3 October 2007[160] on the activities of the United Nations Observer Mission in Georgia,

Noting with serious concern all recent armed incidents that have afflicted the conflict resolution process in Georgia, deploring in particular those in which lives were lost, and reiterating the importance of maintaining the separation of forces and the preservation of the ceasefire,

Supporting the sustained efforts of the Secretary-General and of his Special Representative for Georgia, with the assistance of the Group of Friends of the Secretary-General on Georgia, as well as the Russian Federation in its capacity as facilitator, and of the Organization for Security and Cooperation in Europe, and underlining the increased importance of the meetings in the Geneva format as the forum for meaningful political dialogue,

Stressing the importance of close and effective cooperation between the Mission and the peacekeeping force of the Commonwealth of Independent States as they currently play an important stabilizing role in the conflict zone, and recalling that a lasting and comprehensive settlement of the conflict will require appropriate security guarantees,

Stressing also that economic development is urgently required in Abkhazia, Georgia, to improve the livelihoods of the communities affected by the conflict, in particular refugees and internally displaced persons,

Regretting the continued lack of trust between the two sides, and underlining the importance of constructive goodwill and respect for each other's concerns,

1. *Reaffirms* the commitment of all Member States to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders, and supports all efforts of the United Nations and the Group of Friends of the Secretary-General on Georgia, which are guided by their determination to promote a settlement of the Georgian-Abkhaz conflict only by peaceful means and within the framework of the resolutions of the Security Council;

2. *Reaffirms its strong support* for the United Nations Observer Mission in Georgia, calls upon the parties to cooperate fully with the Mission, deems it necessary to strengthen the Mission's observation capacity as recommended by the Mission in the report of the Joint Fact-Finding Group on the rocket-firing incident in the upper Kodori Valley on 11 March 2007[161] as well as in the report of the Secretary-General of 3 October 2007,[160] and requests the Secretary-General to continue to explore options for the implementation of those recommendations and to inform the Council on progress;

3. *Calls upon* the Georgian side to ensure that the situation in the upper Kodori Valley is in line with the Agreement on a Ceasefire and Separation of Forces signed at Moscow on 14 May 1994,[162] and calls upon the Abkhaz side to exercise restraint in connection with the Georgian commitments with regard to the Kodori Valley;

4. *Expresses its serious concern* over the ongoing numerous violations of the ceasefire and separation of forces regime in the zone of conflict;

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[159] S/2007/439.

[160] S/2007/588.

[161] Available from www.unomig.org.

[162] S/1994/583 and Corr.1, annex I.

5. *Also expresses its serious concern* over the incidents that have taken place within and outside the zone of conflict as observed by the Mission and reflected in the reports of the Secretary-General of 18 July[159] and 3 October 2007,[160] including those on 11 March and 20 September 2007;

6. *Strongly urges* all parties to consider and address seriously each other's legitimate security concerns, to refrain from any acts of violence or provocation, including political action or rhetoric, and to comply fully with previous agreements regarding ceasefire and non-use of violence;

7. *Calls upon* both sides to finalize without delay the document on the non-use of violence, and also calls upon both sides to finalize without delay the document on the return of refugees and internally displaced persons;

8. *Urges* the continued active engagement of both sides within the Joint Fact-Finding Group, and in this context expresses its support for the report of the Joint Fact-Finding Group on the rocket-firing incident in the upper Kodori Valley on 11 March 2007, and endorses the recommendations made by the Mission in the report;

9. *Welcomes* the commitment given by both sides during the meeting chaired by the United Nations in Bonn, Germany, on 27 and 28 June 2007 to resume regular consultations within the quadripartite meetings, and urges both sides to finally fulfil this commitment;

10. *Calls upon* the parties to further increase their bilateral contacts by making full use of all existing mechanisms as described in the relevant Council resolutions in order to come to a peaceful settlement, including the safe and dignified return of refugees and internally displaced persons;

11. *Renews its support* for confidence-building measures proposed by the Group of Friends of the Secretary-General and endorsed in resolution 1752 (2007), and, in the conviction that they will serve the development of broader and unbiased contacts between the communities of the divided country, urges the Georgian and Abkhaz sides to implement these measures without conditions;

12. *Recalls*, with a view to achieving a lasting and comprehensive settlement, its support for the principles contained in the paper on "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi", and welcomes additional ideas that the sides would be willing to offer with a view to conducting creatively and constructively a political dialogue under the aegis of the United Nations;

13. *Welcomes* the deployment of Mission police in Gali and the cooperation of the Abkhaz side, and calls for a further deepening of this cooperation;

14. *Stresses anew* the urgent need to alleviate the plight of refugees and internally displaced persons and the need for a perspective of life in security and dignity, in particular for a new generation growing up outside Abkhazia, Georgia;

15. *Reiterates and reaffirms* as fundamentally important the right of return for all refugees and internally displaced persons to Abkhazia, Georgia, reaffirms the importance of such people's return to their homes and property, that individual property rights have not been affected by the fact that owners had to flee during the conflict and that the residency rights and the identity of those owners will be respected, and calls upon both sides to implement the Office of the United Nations High Commissioner for Refugees' "Strategic Directions" for their return in the first instance to the Gali region;

16. *Welcomes* existing contacts and encourages further contacts between representatives of civil society, and appeals to both sides to promote without reservation the active engagement of citizens and officials in such contacts;

17. *Underlines* that it is the primary responsibility of both sides to provide appropriate security and to ensure the freedom of movement throughout the zone of conflict of the Mission,

the peacekeeping force of the Commonwealth of Independent States and other international personnel, and calls upon both sides to fulfil their obligations in this regard and to extend full cooperation to the Mission and the peacekeeping force;

18. *Welcomes* the efforts being undertaken by the Mission to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

19. *Decides* to extend the mandate of the Mission for a new period terminating on 15 April 2008;

20. *Requests* the Secretary-General to make use of this mandate in order to support the parties in implementing measures to build confidence and to establish an intensive and meaningful dialogue, with a view to achieving a lasting and comprehensive settlement, including the facilitation of a meeting at the highest level, and to inform the Council in his next report on the situation in Abkhazia, Georgia, on progress made in this respect;

21. *Strongly supports* the efforts of the Special Representative of the Secretary-General for Georgia, and calls upon the Group of Friends of the Secretary-General to continue giving him their steadfast and unified support;

22. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5759th meeting.

Decision

At its 5866th meeting, on 15 April 2008, the Security Council decided to invite the representative of Germany to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

"Report of the Secretary-General on the situation in Abkhazia, Georgia (S/2008/219)"

Resolution 1808 (2008)
of 15 April 2008

The Security Council,

Recalling all its relevant resolutions, including resolution 1781 (2007) of 15 October 2007,

Welcoming the reports of the Secretary-General of 23 January[163] and 2 April 2008[164] on the activities of the United Nations Observer Mission in Georgia,

Reiterating the importance of maintaining the separation of forces and the preservation of the ceasefire,

Supporting the sustained efforts of the Secretary-General and of his Special Representative for Georgia, with the assistance of the Group of Friends of the Secretary-General on Georgia, as well as the Russian Federation in its capacity as facilitator, and of the Organization for Security and Cooperation in Europe, underlining the increased importance of the meetings in the Geneva format as the forum for meaningful political dialogue, and welcoming the Georgian and Abkhaz renewed commitment to this process,

[163] S/2008/38.
[164] S/2008/219.

Noting that, whereas the United Nations and the Group of Friends of the Secretary-General will continue to support the process of conflict resolution between the Georgian and Abkhaz sides, the primary responsibility to make use of this support and to implement measures to advance the process, in particular measures to build confidence, remains with both sides,

Regretting the continued lack of progress in implementing confidence-building measures, and underlining the importance of constructive goodwill between the sides and respect for each other's concerns,

Stressing the importance of close and effective cooperation between the Mission and the peacekeeping force of the Commonwealth of Independent States, as they currently play an important stabilizing role in the conflict zone, and recalling that a lasting and comprehensive settlement of the conflict will require appropriate security guarantees,

Stressing also that economic development is urgently required in Abkhazia, Georgia, to improve the livelihoods of the communities affected by the conflict, in particular refugees and internally displaced persons,

1. *Reaffirms* the commitment of all Member States to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders, and supports all efforts by the United Nations and the Group of Friends of the Secretary-General on Georgia, which are guided by their determination to promote a settlement of the Georgian-Abkhaz conflict only by peaceful means and within the framework of the resolutions of the Security Council;

2. *Reaffirms its strong support* for the United Nations Observer Mission in Georgia, again urges the parties to cooperate fully with the Mission and to actively and sustainably engage in the political process led by the Special Representative of the Secretary-General for Georgia, and welcomes the Mission's continued consultations with the parties on strengthening its observation capacity;

3. *Welcomes* the recent improvements in the overall security situation, calls upon both sides to consolidate and broaden those improvements, underlines the need for a period of sustained stability along the ceasefire line and in the Kodori Valley, and stresses the necessity to keep under close observation the situation in the upper Kodori Valley, which has to be in line with the Agreement on a Ceasefire and Separation of Forces signed at Moscow on 14 May 1994;[162]

4. *Also welcomes* the renewed commitment given by both sides during the meeting chaired by the United Nations in Geneva on 18 and 19 February 2008 to resume regular consultations within the quadripartite meetings on security issues without delay, and once more urges both sides to finally fulfil this commitment;

5. *Expresses its concern* at any violation of the ceasefire and separation of forces regime in the zone of conflict;

6. *Strongly urges* all parties to consider and address seriously each other's legitimate security concerns, to refrain from any acts of violence or provocation, including political action or rhetoric, to comply fully with previous agreements regarding ceasefire and non-use of violence, and to maintain the security zone and the restricted weapons zone free of any unauthorized military activities, and in this regard recalls the recommendations of the Secretary-General contained in his report of 18 July 2007[159] and his subsequent reports;

7. *Calls upon* both sides to finalize without delay the document on the non-use of violence, and also calls upon both sides to finalize without delay the document on the return of refugees and internally displaced persons;

8. *Stresses anew* the urgent need to alleviate the plight of refugees and internally displaced persons and the need for a perspective of life in security and dignity, in particular for a new generation growing up outside Abkhazia, Georgia;

9. *Reiterates and reaffirms* as fundamentally important the right of return for all refugees and internally displaced persons to Abkhazia, Georgia, reaffirms the importance of such people's

return to their homes and property, that individual property rights have not been affected by the fact that owners had to flee during the conflict and that the residency rights and the identity of those owners will be respected, and calls upon both sides to implement the Office of the United Nations High Commissioner for Refugees' "Strategic Directions" for their return in the first instance to the Gali region;

10. *Calls upon* the parties to increase their bilateral contacts by making full use of all existing mechanisms as described in the relevant Council resolutions in order to come to a peaceful settlement, and to commit themselves to fulfil within a reliable time frame the conditions necessary for the safe, dignified and swift return of refugees and internally displaced persons;

11. *Firmly convinced* that the confidence-building measures proposed by the Group of Friends of the Secretary-General and endorsed through resolution 1752 (2007) of 13 April 2007, will serve the development of broader and unbiased contacts between the communities of the divided country, regrets the lack of progress made with regard to confidence-building measures, and again urges the Georgian and Abkhaz sides to implement those measures without conditions;

12. *Recalls*, with a view to achieving a lasting and comprehensive settlement, its support for the principles contained in the paper on "Basic Principles for the Distribution of Competences between Tbilisi and Sukhumi", and welcomes additional ideas that the sides would be willing to offer with a view to conducting creatively and constructively a political dialogue under the aegis of the United Nations;

13. *Welcomes* existing contacts and encourages further contacts between representatives of civil society, and appeals to both sides to continue to promote without reservation the active engagement of citizens and officials in such contacts;

14. *Underlines* that it is the primary responsibility of both sides to provide appropriate security and to ensure the freedom of movement throughout the zone of conflict of the Mission, the peacekeeping force of the Commonwealth of Independent States and other international personnel, and calls upon both sides to fulfil their obligations in this regard and to extend full cooperation to the Mission and the peacekeeping force;

15. *Welcomes* the efforts being undertaken by the Mission to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse and to ensure full compliance of its personnel with the United Nations code of conduct, requests the Secretary-General to continue to take all necessary action in this regard and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including conducting predeployment awareness training, and to take disciplinary action and other action to ensure full accountability in cases of such conduct involving their personnel;

16. *Decides* to extend the mandate of the Mission for a new period terminating on 15 October 2008;

17. *Requests* the Secretary-General to make use of this mandate in order to encourage and support the parties in implementing measures to build confidence and to establish an intensive and meaningful dialogue, with a view to achieving a lasting and comprehensive settlement, including the facilitation of a meeting at the highest level, and to inform the Council in his next report on the situation in Abkhazia, Georgia, on progress made in this respect;

18. *Strongly supports* the efforts of the Special Representative of the Secretary-General, and encourages the Group of Friends of the Secretary-General to continue giving him their steadfast and unified support;

19. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5866th meeting.

Decisions

At its 5874th meeting, held in private on 23 April 2008, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5874th meeting, held in private on 23 April 2008, the Security Council considered the item entitled 'The situation in Georgia'.

"The President, with the consent of the Council, invited Mr. David Bakradze, Minister for Foreign Affairs of Georgia, to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"Members of the Council and Mr. Bakradze had an exchange of views."

At its 5900th meeting, held in private on 30 May 2008, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5900th meeting, held in private on 30 May 2008, the Security Council considered the item entitled 'The situation in Georgia'.

"The President, with the consent of the Council, invited the representatives of Georgia and Germany to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"Members of the Council and the representative of Georgia had an exchange of views."

At its 5939th meeting, held in private on 21 July 2008, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5939th meeting, held in private on 21 July 2008, the Security Council considered the item entitled 'The situation in Georgia'.

"The President, with the consent of the Council, invited the representatives of Australia, Azerbaijan, Canada, Estonia, Finland, Georgia, Germany, Israel, Japan, Latvia, Liechtenstein, New Zealand, Poland, Slovakia, Spain, Sweden, Switzerland, Turkey and Ukraine to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"Members of the Council and the representative of Georgia had an exchange of views."

THE QUESTION CONCERNING HAITI[165]

Decision

At its 5758th meeting, on 15 October 2007, the Security Council decided to invite the representatives of Argentina, Brazil, Canada, Chile, Ecuador, Guatemala, Haiti, Spain and Uruguay to participate, without vote, in the discussion of the item entitled:

"The question concerning Haiti

"Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2007/503)".

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[165] Resolutions or decisions on this question were first adopted by the Security Council in 1993.

Resolution 1780 (2007) of 15 October 2007

The Security Council,

Reaffirming its previous resolutions on Haiti, in particular resolutions 1542 (2004) of 30 April 2004, 1576 (2004) of 29 November 2004, 1608 (2005) of 22 June 2005, 1658 (2006) of 14 February 2006, 1702 (2006) of 15 August 2006 and 1743 (2007) of 15 February 2007,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Haiti,

Welcoming recent steps towards achieving lasting stability and democracy in Haiti,

Welcoming also the continuing achievements in Haiti's political process, including through the peaceful holding on 29 April 2007 of the final round of local and municipal elections, and noting with satisfaction the number of women and youth engaged in this process,

Recognizing the interconnected nature of the challenges in Haiti, reaffirming that sustainable progress on security, the rule of law and institutional reform, national reconciliation and development are mutually reinforcing, and welcoming the continuing efforts of the Government of Haiti and the international community to address these challenges,

Recognizing also that respect for human rights, due process and addressing the issue of criminality and putting an end to impunity are essential to ensuring the rule of law and security in Haiti,

Acknowledging significant improvements in the security situation in recent months, but noting that the security situation remains fragile,

Emphasizing the importance of cooperation between Haiti and neighbouring and regional States in effectively managing and securing Haiti's borders, and in line with the shared interest to secure these borders,

Underscoring that international illicit trafficking in drugs and arms continues to affect the stability of Haiti,

Commending the United Nations Stabilization Mission in Haiti for continuing to assist the Government of Haiti to ensure a secure and stable environment,

Emphasizing the role of regional organizations in the ongoing process of stabilization and reconstruction of Haiti, and calling upon the Mission to continue to work closely with the Organization of American States and the Caribbean Community,

Stressing the importance of establishing credible, competent and transparent governance, and encouraging the Government of Haiti to further strengthen State institutions,

Welcoming the initial steps towards establishing a legislative framework for judicial reform through collaboration between the legislative and executive branches,

Commending the establishment of the Consultative Commission on Prolonged Pretrial Detention, and expressing its strong support for further efforts on this issue as well as in addressing prison overcrowding,

Calling upon the Government of Haiti, in coordination with the international community, to advance security sector reform, in particular by continuing the implementation of the Haitian National Police Reform Plan,[166] as well as efforts to reform the critical judiciary and correctional systems,

[166] S/2006/726, enclosure.

Welcoming the support of the Organization of American States to update the Haitian voter registry, and calling upon the Haitian authorities, with the continued support of donors and regional organizations as well as the Mission and the United Nations system, to establish permanent and effective electoral institutions and to hold elections consistent with Haiti's constitutional requirements,

Underlining the need for the quick implementation of highly effective and visible labour-intensive projects that help to create jobs and deliver basic social services,

Acknowledging the laudable work done by the Haitian authorities and the Mission to respond to the needs of disaster-affected people, and welcoming future coordinated actions in this regard,

Expressing its gratitude to the troops and police personnel of the Mission and to their countries, and paying tribute to those injured or killed in the line of duty,

Welcoming the report of the Secretary-General of 22 August 2007,[167]

Determining that the situation in Haiti continues to constitute a threat to international peace and security in the region, despite the progress achieved thus far,

Acting under Chapter VII of the Charter of the United Nations, as described in section I of paragraph 7 of resolution 1542 (2004),

1. *Decides* to extend the mandate of the United Nations Stabilization Mission in Haiti, as contained in its resolutions 1542 (2004), 1608 (2005), 1702 (2006) and 1743 (2007), until 15 October 2008, with the intention of further renewal;

2. *Endorses* the recommendation of the Secretary-General for reconfiguring the Mission in line with the concepts outlined in paragraphs 28 and 29 of his report,[167] taking into account the need to adjust the composition of the Mission and realign its activities to reflect the changing circumstances and priorities on the ground, and decides that the Mission shall consist of a military component of up to 7,060 troops of all ranks and of a police component of a total of 2,091 police;

3. *Expresses its full support* for the Special Representative of the Secretary-General for Haiti, notably in his efforts to improve the security situation in close cooperation with the Government of Haiti, and reaffirms his authority in the coordination and conduct of all activities of United Nations agencies, funds and programmes in Haiti;

4. *Recognizes* the ownership and primary responsibility of the Government and the people of Haiti over all aspects of the country's stabilization, recognizes the role of the Mission in supporting the efforts of the Government in this regard, and encourages the Government to continue to take full advantage of international support to enhance its capacity, which is indispensable for the sustainable success of the Mission;

5. *Reaffirms its call upon* the Mission to support the constitutional and political process under way in Haiti, including through its good offices and, in cooperation with the Government of Haiti, to promote all-inclusive political dialogue and national reconciliation, and to provide logistical and security assistance for the upcoming electoral process;

6. *Welcomes* the continuing contribution of the Mission to the efforts of the Government of Haiti to build institutional capacity at all levels, and calls upon the Mission, consistent with its mandate, to expand such support to strengthen self-sustainable State institutions, especially outside Port-au-Prince, including through the provision of specialized expertise to key ministries and institutions, taking into account the ongoing efforts by the Haitian authorities to fight all forms of crime;

[167] S/2007/503.

7. *Requests* that the Mission continue its support of the Haitian National Police as deemed necessary to ensure security in Haiti, and encourages the Mission and the Government of Haiti to continue to undertake coordinated deterrent actions to decrease the level of violence;

8. *Welcomes* progress in the implementation of the Haitian National Police Reform Plan,[166] and requests the Mission to remain engaged in assisting the Government of Haiti to reform and restructure the Haitian National Police, consistent with its mandate, notably by supporting the monitoring, mentoring, training and vetting of police personnel and the strengthening of institutional capacities, while working to recruit sufficient individual police officers to serve as instructors and mentors of the Haitian National Police, consistent with its overall strategy to progressively transfer geographical and functional responsibilities to its Haitian counterparts to facilitate the engagement of the Haitian National Police in conventional law and order duties, in accordance with the Reform Plan;

9. *Invites* Member States, including neighbouring and regional States, in coordination with the Mission, to engage with the Government of Haiti to address cross-border illicit trafficking in drugs and arms and other illegal activities, and to contribute to strengthening the capacity of the Haitian National Police in these areas;

10. *Requests* the Mission to provide technical expertise in support of the efforts of the Government of Haiti to pursue a comprehensive border management approach, with emphasis on State capacity-building, and underlines the need for coordinated international support for Government efforts in this area;

11. *Recognizes* the need for the Mission to establish patrols along maritime and land border areas in support of border security activities by the Haitian National Police, and encourages the Mission to continue discussions with the Government of Haiti and Member States to assess the threats along Haiti's land and maritime borders;

12. *Requests* the United Nations country team, and calls upon all relevant humanitarian and development actors, to complement security operations undertaken by the Government of Haiti with the support of the Mission with activities aimed at effectively improving the living conditions of the populations concerned, and requests the Mission to continue to implement quick-impact projects;

13. *Condemns* any attack against Mission personnel, and demands that no acts of intimidation or violence be directed against United Nations and associated personnel or other international and humanitarian organizations engaged in humanitarian, development or peacekeeping work;

14. *Welcomes* the steps taken towards the reform of rule of law institutions, requests the Mission to continue to provide necessary support in this regard, and encourages the Haitian authorities to take full advantage of that support, notably in such areas as restructuring the Ministry of Justice and Public Security, certifying magistrates, providing legal aid to the most vulnerable, and modernizing key legislation;

15. *Requests* the Mission to continue to pursue its community violence reduction approach, including through support to the National Commission for Disarmament, Dismantlement and Reintegration and concentrating its efforts on labour-intensive projects, the development of a weapons registry, the revision of current laws on importation and possession of arms, and the reform of the weapons permit system;

16. *Reaffirms* the human rights mandate of the Mission, calls upon the Haitian authorities to continue their efforts to promote and protect human rights, and calls upon the Mission to continue to provide human rights training to the Haitian National Police and other relevant institutions, including the correctional services;

17. *Strongly condemns* the grave violations against children affected by armed violence, as well as widespread rape and other sexual abuse of girls, and requests the Mission to continue to

promote and protect the rights of women and children as set out in Security Council resolutions 1325 (2000) of 31 October 2000 and 1612 (2005) of 26 July 2005;

18. *Encourages* the Mission and the United Nations country team to enhance their coordination as well as coordination with the various development actors in Haiti in order to ensure greater efficiency in development efforts and to address urgent development problems;

19. *Calls upon* the United Nations system and the international community, in particular donor countries and institutions, in cooperation with the Haitian authorities, to devise and support a renewed aid coordination system, based on mutual responsibility, which would focus on immediate needs as well as on long-term reconstruction and poverty reduction, and encourages donors to accelerate the disbursement of their pledges as a contribution to development and stability in Haiti;

20. *Welcomes* progress made by the Mission in communications and public outreach strategy, and requests it to continue these activities;

21. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance of all Mission personnel with the United Nations zero-tolerance policy on sexual exploitation and abuse, and to keep the Council informed, and urges troop-contributing countries to ensure that acts involving their personnel are properly investigated and punished;

22. *Also requests* the Secretary-General to report to the Council on the implementation of the mandate of the Mission semi-annually and no later than forty-five days prior to its expiration, taking into account a review of the activities and composition of the Mission, its coordination with the United Nations country team and other development actors, a comprehensive assessment of threats to security in Haiti, and the development during this mandate period of a consolidation plan with appropriate benchmarks to measure and track progress, in consultation with the Government of Haiti;

23. *Decides* to remain seized of the matter.

Adopted unanimously at the 5758th meeting.

Decisions

At its 5862nd meeting, on 8 April 2008, the Security Council decided to invite the representative of Haiti to participate, without vote, in the discussion of the item entitled:

"The question concerning Haiti

"Report of the Secretary-General on the United Nations Stabilization Mission in Haiti (S/2008/202)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Hédi Annabi, Special Representative of the Secretary-General for Haiti and Head of the United Nations Stabilization Mission in Haiti.

THE SITUATION IN BURUNDI[168]

Decisions

At its 5786th meeting, on 28 November 2007, the Security Council considered the item entitled "The situation in Burundi".

[168] Resolutions or decisions on this question were first adopted by the Security Council in 1993.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Charles Nqakula, Minister of Safety and Security of South Africa and Facilitator of the Burundi Peace Process.

At its 5793rd meeting, on 6 December 2007, the Council decided to invite the representatives of Burundi and Norway (Chairperson of the Burundi configuration of the Peacebuilding Commission) to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

"Second report of the Secretary-General on the United Nations Integrated Office in Burundi (S/2007/682)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Youssef Mahmoud, Executive Representative of the Secretary-General for Burundi.

At its 5809th meeting, on 19 December 2007, the Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

"Second report of the Secretary-General on the United Nations Integrated Office in Burundi (S/2007/682)".

Resolution 1791 (2007) of 19 December 2007

The Security Council,

Recalling its resolutions and the statements by its President on Burundi, in particular resolution 1719 (2006) of 25 October 2006,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Burundi, and emphasizing the importance of national ownership by Burundi of peacebuilding, security and long-term development,

Noting the progress made by Burundi towards consolidating peace and stability, as well as the remaining challenges, in particular completing the peace process with the Parti pour la libération du peuple hutu-Forces nationales de libération, consolidating democratically elected institutions and good governance, and completing the disarmament, demobilization and reinsertion process and the reform of the security sector, including ensuring that the security forces and judicial institutions effectively protect human rights and the rule of law,

Welcoming the appointment on 14 November 2007 of a government of national unity,

Emphasizing the need for the United Nations system and the international community to maintain their support for peace consolidation and long-term development in Burundi, and welcoming in this regard the establishment of the Partners' Coordination Group in Burundi,

Taking note of the briefing by the Chairman of the Burundi configuration of the Peacebuilding Commission on 6 December 2007, [169] welcoming the Commission's close engagement on Burundi, including the finalization with the Government of Burundi of the Strategic Framework for Peacebuilding in Burundi [170] and the adoption of its Monitoring and Tracking Mechanism, [171] and looking forward to its implementation in the same spirit of partnership,

[169] See S/PV.5793.

[170] PBC/1/BDI/4, annex.

[171] See PBC/2/BDI/4.

Paying tribute to the facilitation efforts of South Africa, in conjunction with the countries of the Regional Peace Initiative on Burundi and the African Union, to promote the full implementation of the Comprehensive Ceasefire Agreement signed on 7 September 2006 at Dar-es-Salaam, United Republic of Tanzania, by the Government of Burundi and the Parti pour la libération du peuple hutu-Forces nationales de libération,

Welcoming the signing, on 2 November 2007, of a framework agreement on the establishment of a Tripartite Steering Committee for National Consultations on Transitional Justice Mechanisms, stressing the importance of an early start of the activities of the Committee, and encouraging the Burundian authorities and the Secretary-General, pursuant to its resolution 1606 (2005) of 20 June 2005, to continue to cooperate on this issue,

Recalling the conclusions of its Working Group on Children and Armed Conflict pertaining to parties to armed conflict in Burundi,[172] taking note of the report of the Secretary-General on children and armed conflict in Burundi,[173] calling upon the Government of Burundi and urging all parties, in particular the Parti pour la libération du peuple hutu-Forces nationales de libération, to cooperate with the Working Group with a view to following up on its conclusions, and encouraging United Nations agencies and donors to continue to support these efforts,

Welcoming the policy of the United Nations Integrated Office in Burundi to promote and protect the rights of women and to take into account gender considerations, as set out in its resolution 1325 (2000) of 31 October 2000, as a cross-cutting issue throughout its mandate and to keep the Security Council informed,

Having considered the second report of the Secretary-General on the United Nations Integrated Office in Burundi,[174]

1. *Decides* to extend until 31 December 2008 the mandate of the United Nations Integrated Office in Burundi, as set out in resolution 1719 (2006);

2. *Commends* the authorities and political actors in Burundi for persevering in their dialogue on achieving stability and national reconciliation and promoting social harmony in their country, and encourages them to continue that dialogue;

3. *Urges* the Parti pour la libération du peuple hutu-Forces nationales de libération to return to the Joint Verification and Monitoring Mechanism without delay or preconditions and to immediately release all children associated with it, and calls upon both parties to the Comprehensive Ceasefire Agreement to refrain from any action that might lead to a resumption of hostilities and to resolve outstanding issues in a spirit of cooperation, including by agreeing on a road map of sequenced steps and clear time frames for the successful implementation of the Agreement and conclusion of the final phase of the peace process;

4. *Encourages* the South African Facilitation, the other States of the Regional Peace Initiative on Burundi, the African Union and other international partners to reinforce efforts in support of the early conclusion of the peace process between the Government of Burundi and the Parti pour la libération du peuple hutu-Forces nationales de libération, and requests the Secretary-General, including through the United Nations Integrated Office in Burundi, to play a robust political role in support of the peace process, in full coordination with regional and international partners;

5. *Encourages* the United Nations Integrated Office in Burundi and the Facilitation to expedite their consultations on a common approach to deal with the issue of alleged Forces nationales de libération dissidents, with appropriate international support;

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[172] S/2007/92, annex.

[173] S/2007/686.

[174] S/2007/682.

6. *Encourages* the Government of Burundi to pursue its efforts regarding peace consolidation challenges, in particular democratic governance and justice and security reforms;

7. *Expresses its deep concern* at the continuing human rights violations, including sexual and gender-based violence, and urges the Government of Burundi to diligently investigate all such reports and take the necessary steps to prevent further violations and to ensure that those responsible are brought to justice;

8. *Requests* the Secretary-General to continue to report regularly to the Security Council on the implementation of the mandate of the United Nations Integrated Office in Burundi and the progress regarding the benchmarks contained in the addendum to his report of 21 June 2006,[175] and to keep the Council informed of the progress towards the eventual transition from the Integrated Office to a primarily development-focused engagement;

9. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5809th meeting.

Decisions

At its 5876th meeting, on 24 April 2008, the Security Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled "The situation in Burundi".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[176]

> "The Security Council expresses its serious concern at the recent confrontations between the Parti pour la libération du peuple hutu-Forces nationales de libération and the National Defence Forces of Burundi, following attacks by the Parti pour la libération du peuple hutu-Forces nationales de libération, and the resulting loss of lives.
>
> "The Council condemns the use of violence, and again calls upon the two parties to scrupulously respect the ceasefire concluded on 7 September 2006. It urges the Parti pour la libération du peuple hutu-Forces nationales de libération to return immediately and without preconditions to the Joint Verification and Monitoring Mechanism and calls upon both parties to resume their dialogue to overcome the obstacles that hinder the implementation of the Comprehensive Ceasefire Agreement and delay the conclusion of the peace process in Burundi.
>
> "The Council reiterates its support for the Regional Peace Initiative on Burundi, the South African Facilitation and other partners of Burundi, and encourages them to sustain their commitment to bring the parties to overcome the current crisis and implement the Programme of Action to Take Further the Peace Process in Burundi, adopted at the meeting held in Cape Town, South Africa, on 22 and 23 February 2008. It supports a proactive role of the Political Directorate in that regard.
>
> "The Council requests the Secretary-General to play a robust political role in support of the peace process and to keep the Council closely informed of developments in Burundi, including in the context of his reports to the Council on the United Nations Integrated Office in Burundi.
>
> "The Council stresses that any attempt to jeopardize peace in Burundi through violent means is unacceptable, and expresses its intention to consider possible additional measures, as appropriate, in support of peace and stability in Burundi."

[175] S/2006/429/Add.1.

[176] S/PRST/2008/10.

At its 5897th meeting, on 22 May 2008, the Council decided to invite the representative of Burundi to participate, without vote, in the discussion of the item entitled:

"The situation in Burundi

"Third report of the Secretary-General on the United Nations Integrated Office in Burundi (S/2008/330)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Johan Løvald, Chairperson of the Burundi configuration of the Peacebuilding Commission and Permanent Representative of Norway to the United Nations.

THE SITUATION IN AFGHANISTAN[177]

Decision

At its 5744th meeting, on 19 September 2007, the Security Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

Resolution 1776 (2007) of 19 September 2007

The Security Council,

Reaffirming its previous resolutions on Afghanistan, in particular resolutions 1386 (2001) of 20 December 2001, 1510 (2003) of 13 October 2003, 1707 (2006) of 12 September 2006 and 1746 (2007) of 23 March 2007,

Reaffirming also its resolutions 1267 (1999) of 15 October 1999, 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001, and reiterating its support for international efforts to root out terrorism in accordance with the Charter of the United Nations,

Recalling its resolutions 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000, 1674 (2006) of 28 April 2006 and 1738 (2006) of 23 December 2006 on the protection of civilians in armed conflict and its resolution 1325 (2000) of 31 October 2000 on women and peace and security,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Recognizing that the responsibility for providing security and law and order throughout the country resides with the Afghan authorities, and welcoming the cooperation of the Government of Afghanistan with the International Security Assistance Force,

Recognizing also the multifaceted and interconnected nature of the challenges in Afghanistan, reaffirming that sustainable progress on security, governance and development, as well as the cross-cutting issue of counter-narcotics, is mutually reinforcing, and welcoming the continuing efforts of the Government of Afghanistan and the international community to address these challenges in a coherent manner through the comprehensive framework provided by the Afghanistan Compact,[178]

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[177] Resolutions or decisions on this question were first adopted by the Security Council in 1994.

[178] S/2006/90, annex.

Stressing the central role that the United Nations continues to play in promoting peace and stability in Afghanistan, noting, in the context of a comprehensive approach, the synergies in the objectives of the United Nations Assistance Mission in Afghanistan and of the Force, and stressing the need for further sustained cooperation, coordination and mutual support, taking due account of their respective designated responsibilities,

Reiterating its concern about the security situation in Afghanistan, in particular the increased violent and terrorist activities by the Taliban, Al-Qaida, illegal armed groups and those involved in the narcotics trade, and the links between terrorism activities and illicit drugs, resulting in threats to the local population, national security forces and international military and civilian personnel,

Expressing its concern over the harmful consequences of violent and terrorist activities by the Taliban, Al-Qaida and other extremist groups on the capacity of the Government of Afghanistan to guarantee the rule of law, to provide basic services to the Afghan people and to ensure the full enjoyment of their human rights and fundamental freedoms,

Reiterating its support for the continuing endeavours by the Government of Afghanistan, with the assistance of the international community, including the Force and the Operation Enduring Freedom coalition, to improve the security situation and to continue to address the threat posed by the Taliban, Al-Qaida and other extremist groups, and stressing in this context the need for sustained international efforts, including those of the Force and the coalition,

Condemning in the strongest terms all attacks, including improvised explosive device attacks, suicide attacks and abductions, targeting civilians and Afghan and international forces and their deleterious effect on the stabilization, reconstruction and development efforts in Afghanistan, and condemning further the use by the Taliban and other extremist groups of civilians as human shields,

Expressing its concern about all civilian casualties, and reiterating its call for all feasible steps to be taken to ensure the protection of civilian life and for international humanitarian and human rights law to be upheld,

Recognizing the robust efforts made by the Force and other international forces to minimize the risk of civilian casualties, notably the continuous review of tactics and procedures and the conduct of after-action reviews in cooperation with the Government of Afghanistan in cases where civilian casualties have reportedly occurred,

Stressing the need for further progress in security sector reform, including further strengthening of the Afghan National Army and Police, disbandment of illegal armed groups, justice sector reform and counter-narcotics,

Also stressing, in this context, the importance of further progress in the reconstruction and reform of the Afghan prison sector, in order to improve respect for the rule of law and human rights therein,

Reiterating its call upon all Afghan parties and groups to engage constructively in peaceful political dialogue within the framework of the Afghan Constitution and in the socio-economic development of the country, and to avoid resorting to violence, including through the use of illegal armed groups,

Recognizing the importance of the contribution of neighbouring and regional partners for the stabilization of Afghanistan, and stressing the crucial importance of advancing regional cooperation as an effective means to promote security, governance and development in Afghanistan,

Welcoming the completion of the expansion of the Force throughout Afghanistan, the continued coordination between the Force and the coalition and the cooperation established between the Force and the European Union presence in Afghanistan, in particular the European Union Police Mission in Afghanistan,

Expressing its appreciation for the leadership provided by the North Atlantic Treaty Organization and for the contributions of many nations to the Force and to the coalition, including its maritime interdiction component,

Determining that the situation in Afghanistan still constitutes a threat to international peace and security,

Determined to ensure the full implementation of the mandate of the Force, in coordination with the Government of Afghanistan,

Acting, for these reasons, under Chapter VII of the Charter,

1. *Decides* to extend the authorization of the International Security Assistance Force, as defined in resolutions 1386 (2001) and 1510 (2003), for a period of twelve months beyond 13 October 2007;

2. *Authorizes* the Member States participating in the Force to take all necessary measures to fulfil its mandate;

3. *Recognizes* the need to further strengthen the Force to meet all its operational requirements, and in this regard calls upon Member States to contribute personnel, equipment and other resources to the Force, and to make contributions to the trust fund established pursuant to resolution 1386 (2001);

4. *Stresses* the importance of increasing the effective functionality, professionalism and accountability of the Afghan security sector in order to provide long-term solutions to security in Afghanistan, and encourages the Force and other partners to sustain their efforts, as resources permit, to train, mentor and empower the Afghan national security forces, in particular the Afghan National Police;

5. *Calls upon* the Force to continue to work in close consultation with the Government of Afghanistan and the Special Representative of the Secretary-General for Afghanistan as well as with the Operation Enduring Freedom coalition in the implementation of the mandate of the Force;

6. *Requests* the leadership of the Force to keep the Security Council regularly informed, through the Secretary-General, on the implementation of its mandate, including through the provision of quarterly reports;

7. *Decides* to remain actively seized of the matter.

Adopted at the 5744th meeting
by 14 votes to none, with 1 abstention
(Russian Federation).

Decisions

At its 5760th meeting, on 15 October 2007, the Security Council decided to invite the representatives of Afghanistan, Canada, India, Iran (Islamic Republic of), Japan, the Netherlands, Norway, Pakistan and Portugal to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

"Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2007/555)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Tom Koenigs, Special Representative of the Secretary-General for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan.

On 7 March 2008, the President of the Security Council addressed the following letter to the Secretary-General:[179]

> "I have the honour to inform you that your letter dated 6 March 2008 concerning your intention to appoint Mr. Kai Eide, of Norway, as your Special Representative for Afghanistan and Head of the United Nations Assistance Mission in Afghanistan[180] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5851st meeting, on 12 March 2008, the Council decided to invite the representatives of Afghanistan, Australia, Canada, Iceland, India, Iran (Islamic Republic of), Japan, Kazakhstan, Kyrgyzstan, the Netherlands, New Zealand, Pakistan, the Republic of Korea, Slovenia, Spain, Turkey and the United Arab Emirates to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2008/159)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 5857th meeting, on 20 March 2008, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

> "Report of the Secretary-General on the situation in Afghanistan and its implications for international peace and security (S/2008/159)".

Resolution 1806 (2008)
of 20 March 2008

The Security Council,

Recalling its previous resolutions on Afghanistan, in particular resolution 1746 (2007) of 23 March 2007, in which it extended, until 23 March 2008, the mandate of the United Nations Assistance Mission in Afghanistan, as established by resolution 1662 (2006) of 23 March 2006, and recalling also its resolution 1659 (2006) of 15 February 2006, in which it endorsed the Afghanistan Compact,[178]

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Reaffirming its continued support for the Government and people of Afghanistan as they rebuild their country, strengthen the foundations of sustainable peace and constitutional democracy and assume their rightful place in the community of nations,

Reaffirming in this context its support for the implementation, under the ownership of the Afghan people, of the Afghanistan Compact, the Afghanistan National Development Strategy[181] and the National Drug Control Strategy,[182] and noting that sustained and coordinated efforts by all

[179] S/2008/166.

[180] S/2008/165.

[181] See S/2006/105, annex.

[182] S/2006/106, annex.

relevant actors are required to consolidate progress made towards their implementation and to overcome continuing challenges,

Recalling that the Afghanistan Compact is based on a partnership between the Government of Afghanistan and the international community, based on the desire of the parties for Afghanistan to progressively assume responsibility for its own development and security, and with a central and impartial coordinating role for the United Nations,

Stressing the central and impartial role that the United Nations continues to play in promoting peace and stability in Afghanistan by leading the efforts of the international community, including, jointly with the Government of Afghanistan, the coordination and monitoring of efforts in implementing the Afghanistan Compact, and expressing its appreciation and strong support for the ongoing efforts of the Secretary-General, his Special Representative for Afghanistan and the women and men of the Mission,

Recognizing once again the interconnected nature of the challenges in Afghanistan, reaffirming that sustainable progress on security, governance and development, as well as the cross-cutting issue of counter-narcotics, is mutually reinforcing, and welcoming the continuing efforts of the Government of Afghanistan and the international community to address these challenges through a comprehensive approach,

Stressing the importance of a comprehensive approach in addressing the challenges in Afghanistan, noting in this context the synergies in the objectives of the Mission and of the International Security Assistance Force, and stressing the need for strengthened cooperation, coordination and mutual support, taking due account of their respective designated responsibilities,

Reiterating its concern about the security situation in Afghanistan, in particular the increased violent and terrorist activities by the Taliban, Al-Qaida, illegal armed groups, criminals and those involved in the narcotics trade, and the increasingly strong links between terrorism activities and illicit drugs, resulting in threats to the local population, including children, national security forces and international military and civilian personnel,

Stressing the importance of ensuring safe and unhindered access of humanitarian workers, including United Nations staff and associated personnel,

Expressing its concern over the harmful consequences of violent and terrorist activities by the Taliban, Al-Qaida and other extremist groups on the capacity of the Government of Afghanistan to guarantee the rule of law, to provide security and basic services to the Afghan people and to ensure the improvement and protection of their human rights and fundamental freedoms,

Recalling the importance of the Kabul Declaration on Good-neighbourly Relations of 22 December 2002,[183] looking forward to the Third Regional Economic Cooperation Conference on Afghanistan, to be held in Islamabad, and stressing the crucial importance of advancing regional cooperation as an effective means to promote security, governance and development in Afghanistan,

Welcoming the holding of the Afghan-Pakistani Peace Jirga in Kabul in August 2007 and the collective determination expressed at the Jirga to bring sustainable peace to the region, including by addressing the terrorist threat, and expressing its support for the relevant follow-up processes,

Recalling its resolutions 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000, 1674 (2006) of 28 April 2006 and 1738 (2006) of 23 December 2006 on the protection of civilians in armed conflict, its resolution 1325 (2000) of 31 October 2000 on women and peace and

[183] S/2002/1416, annex.

security and its resolution 1612 (2005) of 26 July 2005 on children and armed conflict, and taking note with appreciation of the seventh report of the Secretary-General on children and armed conflict, of 21 December 2007,[184]

1. *Welcomes* the report of the Secretary-General of 6 March 2008;[185]

2. *Expresses its appreciation* for the United Nations long-term commitment to work with the Government and the people of Afghanistan;

3. *Decides* to extend the mandate of the United Nations Assistance Mission in Afghanistan, as defined in its resolutions 1662 (2006) and 1746 (2007), until 23 March 2009;

4. *Decides also* that the Mission and the Special Representative of the Secretary-General for Afghanistan, within their mandate and guided by the principle of reinforcing Afghan ownership and leadership, shall lead the international civilian efforts, inter alia:

(*a*) To promote, as co-chair of the Joint Coordination and Monitoring Board, more coherent support by the international community to the Government of Afghanistan and the adherence to the principles of aid effectiveness enumerated in the Afghanistan Compact,[178] including through mobilization of resources, coordination of the assistance provided by international donors and organizations and direction of the contributions of United Nations agencies, funds and programmes, in particular for counter-narcotics, reconstruction and development activities;

(*b*) To strengthen the cooperation with the International Security Assistance Force at all levels and throughout the country, in accordance with their existing mandates, in order to improve civil-military coordination, to facilitate the timely exchange of information and to ensure coherence between the activities of national and international security forces and of civilian actors in support of an Afghan-led development and stabilization process, including through engagement with provincial reconstruction teams and engagement with non-governmental organizations;

(*c*) Through a strengthened and expanded presence throughout the country, to provide political outreach, promote at the local level the implementation of the Afghanistan Compact, the Afghanistan National Development Strategy[181] and the National Drug Control Strategy,[182] and facilitate inclusion in and understanding of the policies of the Government of Afghanistan;

(*d*) To provide good offices to support, if requested by the Government of Afghanistan, the implementation of Afghan-led reconciliation programmes, within the framework of the Afghan Constitution and with full respect for the implementation of measures introduced by the Security Council in its resolution 1267 (1999) of 15 October 1999 and other relevant resolutions of the Council;

(*e*) To support efforts, including through the Independent Directorate for Local Governance, to improve governance and the rule of law and to combat corruption, in particular at the subnational level, and to promote development initiatives at the local level with a view to helping to bring the benefits of peace and deliver services in a timely and sustainable manner;

(*f*) To play a central coordinating role to facilitate the delivery of humanitarian assistance in accordance with humanitarian principles and with a view to building the capacity of the Government of Afghanistan, including by providing effective support to national and local authorities in assisting and protecting internally displaced persons and to creating conditions conducive to the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons;

(*g*) To continue, with the support of the Office of the United Nations High Commissioner for Human Rights, to cooperate with the Afghan Independent Human Rights Commission, to cooperate also with relevant international and local non-governmental organizations, to monitor the situation of civilians, to coordinate efforts to ensure their protection and to assist in the full

[184] S/2007/757.

[185] S/2008/159.

implementation of the fundamental freedoms and human rights provisions of the Afghan Constitution and international treaties to which Afghanistan is a State party, in particular those regarding the full enjoyment by women of their human rights;

(*h*) To support, at the request of the Afghan authorities, the electoral process, in particular through the Afghan Independent Electoral Commission, by providing technical assistance, coordinating other international donors, agencies and organizations providing assistance and channelling existing and additional funds earmarked to support the process;

(*i*) To support regional cooperation to work towards a stable and prosperous Afghanistan;

5. *Calls upon* all Afghan and international parties to coordinate with the Mission in the implementation of its mandate and in efforts to promote the security and freedom of movement of United Nations and associated personnel throughout the country;

6. *Stresses* the importance of strengthening and expanding the presence of the Mission and other United Nations agencies, funds and programmes in the provinces, and encourages the Secretary-General to pursue current efforts to finalize the necessary arrangements to address the security issues associated with such strengthening and expansion;

7. *Calls upon* the Government of Afghanistan, and the international community and international organizations, to implement the Afghanistan Compact and the annexes thereto in full, and stresses in this context the importance of meeting the benchmarks and timelines of the Compact for progress on security, governance, the rule of law and human rights, and economic and social development, as well as the cross-cutting issue of counter-narcotics;

8. *Reaffirms* the central role played by the Joint Coordination and Monitoring Board in coordinating, facilitating and monitoring the implementation of the Afghanistan Compact, stresses the need to strengthen its authority and capacity to, inter alia, measure progress towards the benchmarks outlined in the Compact and facilitate the coordination of international assistance in support of the Afghanistan National Development Strategy, and calls upon all relevant actors to cooperate with the Board in this regard, including by reporting assistance programmes to the Government of Afghanistan's aid coordination unit and to the Board;

9. *Welcomes* the progress made by the Government of Afghanistan in the finalization of the Afghanistan National Development Strategy, looks forward to its launch, and stresses the importance, in this context, of adequate resource mobilization, including through the fulfilment of the pledges made at the London Conference on Afghanistan, held on 31 January and 1 February 2006, possible new pledges and increased assistance to the core budget;

10. *Notes with interest* the intention, expressed by members of the Joint Coordination and Monitoring Board at the Political Directors Meeting on Afghanistan, held in Tokyo on 5 February 2008, to prepare an international conference to review progress on the implementation of the Afghanistan Compact, welcomes the offer of France to host such a conference in Paris in June 2008, and requests the Secretary-General to report to the Council on its outcome and to include in that report, if necessary, further recommendations concerning the mandate of the Mission;

11. *Calls upon* the Government of Afghanistan, with the assistance of the international community, including the International Security Assistance Force and the Operation Enduring Freedom coalition, in accordance with their respective designated responsibilities as they evolve, to continue to address the threat to the security and stability of Afghanistan posed by the Taliban, Al-Qaida, illegal armed groups, criminals and those involved in the narcotics trade;

12. *Condemns in the strongest terms* all attacks, including improvised explosive device attacks, suicide attacks and abductions, targeting civilians and Afghan and international forces and their deleterious effect on the stabilization, reconstruction and development efforts in Afghanistan, and condemns further the use by the Taliban and other extremist groups of civilians as human shields;

13. *Reiterates its concern* about all civilian casualties, calls for compliance with international humanitarian and human rights law and for all appropriate steps to be taken to ensure

the protection of civilians, and recognizes in this context the robust efforts taken by the Force and other international forces to minimize the risk of civilian casualties, notably the continuous review of tactics and procedures and the conduct of after-action reviews in cooperation with the Government of Afghanistan in cases where civilian casualties have reportedly occurred;

14. *Expresses its strong concern* about the recruitment and use of children by Taliban forces in Afghanistan as well as the killing and maiming of children as a result of the conflict, reiterates its strong condemnation of the recruitment and use of child soldiers in violation of applicable international law and all other violations and abuses committed against children in situations of armed conflict and stresses the importance of implementing Council resolution 1612 (2005), and in this context requests the Secretary-General to strengthen the child protection component of the Mission, in particular through the appointment of child protection advisers;

15. *Stresses* the importance of increasing, within a comprehensive framework, the functionality, professionalism and accountability of the Afghan security sector through training, mentoring and empowerment efforts, in order to accelerate progress towards the goal of self-sufficient and ethnically balanced Afghan security forces providing security and ensuring the rule of law throughout the country;

16. *Welcomes*, in this context, the continued progress in the development of the Afghan National Army and its improved ability to plan and undertake operations, and encourages sustained training efforts, including through the operational mentoring and liaison teams, and advice in developing a sustainable defence planning process as well as assistance in defence reform initiatives;

17. *Calls for* further efforts to enhance the capabilities of the Afghan National Police in order to reinforce the authority of the Government of Afghanistan throughout the country, welcomes the increasing role played by the International Police Coordination Board in policy setting and coordination, and stresses the importance, in this context, of the contribution of the European Union through the European Union Police Mission in Afghanistan;

18. *Also calls for* further progress in the implementation by the Government of Afghanistan, with support from the international community, of the programme of disbandment of illegal armed groups;

19. *Expresses its concern* at the serious harm that increasing opium cultivation, production and trafficking causes to the security, development and governance of Afghanistan as well as to the region and internationally; calls upon the Government of Afghanistan, with the assistance of the international community, to accelerate the implementation of the National Drug Control Strategy as discussed at the meeting of the Joint Coordination and Monitoring Board held in Tokyo in February 2008, in particular at the local level, and to mainstream counter-narcotics throughout national programmes; and encourages additional international support for the four priorities identified in the Strategy, including through contributions to the Counter-Narcotics Trust Fund;

20. *Calls upon* States to strengthen international and regional cooperation to counter the threat to the international community posed by the illicit production of and trafficking in drugs originating in Afghanistan, including through border management cooperation in drug control and cooperation for the fight against the illicit trafficking in drugs and precursors and against money-laundering linked to such trafficking, taking into account the outcome of the Second Ministerial Conference on Drug Trafficking Routes from Afghanistan, organized by the Government of the Russian Federation in cooperation with the United Nations Office on Drugs and Crime and held in Moscow from 26 to 28 June 2006,[186] within the framework of the Paris Pact initiative;[187]

[186] See S/2006/598, annex.

[187] See S/2003/641, annex.

21. *Welcomes* the adoption by the Afghan authorities, in accordance with the outcome of the Rome Conference on the Rule of Law in Afghanistan, held on 2 and 3 July 2007, of the National Justice Programme launched at the meeting of the Joint Coordination and Monitoring Board held in Tokyo in February 2008, and stresses the importance of its full and timely implementation by all the relevant actors in order to accelerate the establishment of a fair and transparent justice system, strengthen the rule of law throughout the country and eliminate impunity;

22. *Stresses*, in this context, the importance of further progress in the reconstruction and reform of the prison sector in Afghanistan, in order to improve the respect for the rule of law and human rights therein;

23. *Notes with concern* the effects of widespread corruption on security, good governance, counter-narcotics efforts and economic development, and calls upon the Government of Afghanistan, with the assistance of the international community, to vigorously lead the fight against corruption and to enhance its efforts to establish a more effective, accountable and transparent administration;

24. *Encourages* all Afghan institutions, including the executive and legislative branches, to work in a spirit of cooperation, calls upon the Government of Afghanistan to pursue continued legislative and public administration reform in order to ensure good governance, full representation and accountability at both the national and the subnational levels, stresses the need for further international efforts to provide technical assistance in this area, and recalls the role of the Senior Appointments Panel in accordance with the Afghanistan Compact;

25. *Encourages* the international community to assist the Government of Afghanistan in making capacity-building and human resources development a cross-cutting priority;

26. *Notes* the leading role that the Afghan institutions will play in the organization of the next elections, encourages the Government of Afghanistan, with support from the international community, to accelerate the planning and preparation of such elections, stresses the need to establish a permanent civil and voter registry in accordance with the Afghanistan Compact, and emphasizes the importance of free, fair, inclusive and transparent elections in order to sustain the democratic progress of the country;

27. *Calls for* full respect for human rights and fundamental freedoms and international humanitarian law throughout Afghanistan, notes with concern the increasing restrictions on freedom of the media, commends the Afghan Independent Human Rights Commission for its courageous efforts to monitor respect for human rights in Afghanistan as well as to foster and protect those rights and to promote the emergence of a pluralistic civil society, and stresses the importance of full cooperation with the Commission by all relevant actors;

28. *Recognizes* the significant progress achieved on gender equality in Afghanistan in recent years, strongly condemns continuing forms of discrimination and violence against women and girls, stresses the importance of implementing Council resolution 1325 (2000), and requests the Secretary-General to continue to include in his reports to the Council relevant information on the process of integration of women into the political, economic and social life of Afghanistan;

29. *Calls for* enhanced efforts to ensure the full implementation of the Action Plan on Peace, Justice and Reconciliation in accordance with the Afghanistan Compact, without prejudice to the implementation of measures introduced by the Council in its resolution 1267 (1999) and other relevant resolutions of the Council;

30. *Welcomes* the cooperation of the Government of Afghanistan and the Mission with the Security Council Committee established pursuant to resolution 1267 (1999) in the implementation of resolution 1735 (2006) of 22 December 2006, including by identifying individuals and entities participating in the financing or support of acts or activities of Al-Qaida and the Taliban using proceeds derived from illicit cultivation and production of and trafficking in narcotic drugs and their precursors, and encourages the continuation of such cooperation;

31. *Also welcomes* ongoing efforts by the Government of Afghanistan and its neighbouring and regional partners to foster trust and cooperation with each other, including recent cooperation initiatives developed by regional organizations, and stresses the importance of increasing cooperation between Afghanistan and the partners against the Taliban, Al-Qaida and other extremist groups, in promoting peace and prosperity in Afghanistan and in fostering cooperation in the economic and development sectors as a means to achieve the full integration of Afghanistan into regional dynamics and the global economy;

32. *Calls for* the strengthening of the process of regional economic cooperation, including measures to facilitate regional trade, to increase foreign investments and to develop infrastructure, noting Afghanistan's historical role as a land bridge in Asia;

33. *Recognizes* the importance of the voluntary, safe, orderly return and sustainable reintegration of the remaining Afghan refugees for the stability of the country and the region, and calls for continued and enhanced international assistance in this regard;

34. *Requests* the Secretary-General to report to the Council every six months on developments in Afghanistan, in addition to the report requested in paragraph 10 of the present resolution;

35. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5857th meeting.

Decision

At its 5907th meeting, on 11 June 2008, the Security Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

Resolution 1817 (2008)
of 11 June 2008

The Security Council,

Recalling its previous resolutions on Afghanistan, in particular resolutions 1659 (2006) of 15 February 2006, 1776 (2007) of 19 September 2007 and 1806 (2008) of 20 March 2008, and the statement by its President of 17 June 2003,[188]

Recalling also its resolutions 1267 (1999) of 15 October 1999 and 1735 (2006) of 22 December 2006, and reiterating its support for international efforts to combat terrorism in accordance with international law, including the Charter of the United Nations,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan,

Reaffirming its continued support for the Government and people of Afghanistan as they rebuild their country, strengthen the foundations of sustainable peace and constitutional democracy and assume their rightful place in the community of nations,

Noting with concern the existing links between international security, terrorism and transnational organized crime, money-laundering, trafficking in illicit drugs and illegal arms, and in this regard emphasizing the need to enhance coordination of efforts at the national, subregional, regional and international levels in order to strengthen a global response to this serious challenge,

Reiterating its concern about the security situation in Afghanistan, in particular the continued violent and terrorist activities by the Taliban, Al-Qaida, illegal armed groups, criminals

[188] S/PRST/2003/7.

and those involved in the narcotics trade, and the links between illicit drug trafficking and terrorism, and calling upon the Government of Afghanistan, with the assistance of the international community, including the International Security Assistance Force and the Operation Enduring Freedom coalition, in accordance with their respective designated responsibilities as they evolve, to continue to address the threat to the security and stability of Afghanistan posed by the Taliban, Al-Qaida, illegal armed groups, criminals and those involved in the narcotics trade,

Welcoming the ongoing efforts of the Government of Afghanistan in the fight against narcotic drugs and also welcoming the efforts of neighbouring countries to address the impact on the region of the production of illicit drugs in Afghanistan, including through interdiction activities, and encouraging the international and regional organizations to enhance their role in the fight against illicit trafficking in narcotics and precursors, and paying homage to the sacrifice of members of the security forces of Afghanistan and its neighbouring countries in the fight against drug traffickers,

Reiterating its support for the fight against the illicit production of and trafficking in drugs from, and chemical precursors to, Afghanistan, in neighbouring countries, countries on trafficking routes, drug destination countries and precursor-producing countries, encouraging increased cooperation between those countries to strengthen anti-narcotics controls to curb the drug flow, including through border management cooperation, and expressing its support for the Paris Pact initiative,[187] for the outcome of the Second Ministerial Conference on Drug Trafficking Routes from Afghanistan, organized in Moscow from 26 to 28 June 2006,[186] and for the meeting organized in Kabul on 31 October and 1 November 2007 within the framework of the Paris Pact initiative; and stressing the need for Member States to take measures, with the support of relevant international actors, to combat the laundering of proceeds of criminal activity, corruption and illicit trafficking in narcotics and precursors in line with the outcome of the Moscow conference,

Recalling that achieving a sustained and significant reduction in the production of and trafficking in narcotics with a view to eliminating the narcotics industry has been identified as a cross-cutting priority in the Afghanistan Compact adopted in London on 31 January 2006,[178] which provides the framework for the partnership between the Government of Afghanistan and the international community, as well as the Government's National Drug Control Strategy,[182]

Stressing the importance of a comprehensive approach to address the drug problem of Afghanistan, which, to be effective, has to be integrated into the wider context of efforts carried out in the three areas of security, governance, rule of law and human rights, and economic and social development, stressing that the development of alternative-livelihood programmes is of key importance in the success of the efforts in counter-narcotics in Afghanistan, and reiterating that extensive efforts also have to be made to reduce the demand for drugs globally in order to contribute to the sustainability of the elimination of illicit cultivation in Afghanistan,

Expressing utmost concern at the increase in illegal smuggling, for illicit use, to and within Afghanistan of chemical precursors needed to produce heroin, in particular acetic anhydride, and also hydrochloric acid and acetone, linked to the high level of opium cultivation, production and trafficking, and noting that most of the opium produced in Afghanistan is now processed in the country,

Recalling the Political Declaration adopted by the General Assembly at its twentieth special session,[189] in which Member States decided to establish the year 2008 as a target date for States to eliminate or significantly reduce, inter alia, the diversion of precursors, and recognizing that action against the world drug problem is a common and shared responsibility requiring an integrated and balanced approach in full conformity with the purposes and principles of the Charter and international law,

[189] General Assembly resolution S-20/2, annex.

Acknowledging the role of the Commission on Narcotic Drugs of the Economic and Social Council as the central policymaking and coordinating body within the United Nations system on international drug control issues, and welcoming the intention of the Commission to consider the issue of precursor control as one of the central questions to be discussed during the high-level segment of its fifty-second session,

Acknowledging also the mandate and the leading role played by the International Narcotics Control Board, as an independent treaty body, in the implementation of the United Nations international drug control conventions and the international control of precursors,

Stressing the central role played by the United Nations Office on Drugs and Crime in assisting Member States, notably by providing technical assistance, in the fight against illicit drugs,

1. *Expresses utmost concern* at the high level of opium cultivation, production and trafficking, which involves, in particular, the diversion of chemical precursors, and stresses once again the serious harm that it causes to the security, development and governance of Afghanistan as well as to the region and internationally, and to the success of international efforts;

2. *Calls upon* all Member States to increase international and regional cooperation in order to counter the illicit production of and trafficking in drugs in Afghanistan, including by strengthening the monitoring of the international trade in chemical precursors, notably but not limited to acetic anhydride, and to prevent attempts to divert the substances from licit international trade for illicit use in Afghanistan;

3. *Invites* all Member States, in particular chemical precursor-producing countries, Afghanistan, neighbouring countries, and all countries on the trafficking routes to increase their cooperation with the International Narcotics Control Board, notably by fully complying with the provisions of article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[190] in order to eliminate loopholes utilized by criminal organizations to divert chemical precursors from licit international trade;

4. *Urges* exporting States to ensure the systematic notification of all exports of relevant chemical precursors, upon request from importing States, in accordance with provisions of the 1988 Convention, and encourages importing States to request the systematic notification of such exports; and also urges the Governments that have not yet done so to register with and utilize the online system for the exchange of pre-export notifications (PEN Online);

5. *Calls upon* States that have not done so to consider ratifying or acceding to, and State parties to implement fully, the multilateral treaties whose aim is to fight against the illicit trafficking in narcotic drugs, notably the Single Convention on Narcotic Drugs of 1961 as amended by the Protocol of 25 March 1972[191] and the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988, underlines the importance for all States parties to those treaties to implement them fully, and stresses that nothing in the present resolution will impose on State parties new obligations with regard to those treaties;

6. *Expresses its continued support* to the commitment and efforts of Afghanistan to achieve a sustained and significant reduction in the production of and trafficking in narcotics with a view to complete elimination, expresses also its support to the Afghan National Drug Control Strategy,[182] and calls upon the Government of Afghanistan, with the assistance of the international community, to accelerate its implementation, as discussed at the seventh meeting of the Joint Coordination and Monitoring Board held in Tokyo in February 2008, and calls for additional international support for the priorities identified in the Strategy;

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[190] United Nations, *Treaty Series*, vol. 1582, No. 27627.

[191] Ibid., vol. 976, No. 14152.

7. *Calls upon* all Member States, in particular chemical precursor-producing countries, Afghanistan, neighbouring countries and all countries on the trafficking routes, to adopt adequate national legislation, consistent with the requirements of relevant international conventions to which they are parties, where it has not yet been done, and to strengthen their national capacities in the areas of (i) regulation and monitoring of manufacture of and trade in chemical precursors, with a view to controlling the final destination of such chemicals, and (ii) specialized enforcement operations against the diversion of precursors, including for their detection and disposal in Afghanistan and the region, and for strengthening border controls;

8. *Invites* the international community to provide financial and technical assistance and support in building national capacity in the fields referred to in paragraph 7 above to Afghanistan and, where appropriate and upon request, neighbouring countries, including through voluntary contributions to the United Nations Office on Drugs and Crime; stresses in particular the importance of training and equipping law enforcement agencies, including border police and customs officers, so as to allow them to deal efficiently with such tasks as detection, scanning, stockpiling, transportation and destruction of chemical precursors; and encourages Afghanistan and its neighbours to make full use of such assistance;

9. *Reiterates its support* for the Paris Pact initiative aimed at facilitating counter-narcotics cooperation and coordination among countries seriously affected by the trafficking in narcotic drugs produced in Afghanistan,[187] for the outcome of the Second Ministerial Conference on Drug Trafficking Routes from Afghanistan, organized in Moscow from 26 to 28 June 2006 in cooperation with the United Nations Office on Drugs and Crime,[186] and for other international and/or regional relevant initiatives, such as Project Cohesion, and calls upon Paris Pact partners to further promote international and regional initiatives;

10. *Welcomes* the launch, under the guidance of the United Nations Office on Drugs and Crime and the Project Cohesion Task Force, of the Targeted Anti-Trafficking Regional Communication, Expertise and Training initiative targeting precursors used in the manufacture of heroin in Afghanistan, and urges the Paris Pact partners to cooperate closely with a view to achieving its successful implementation;

11. *Recognizes* the legitimate need of industry to have access to precursors and its important role in preventing the diversion of precursors, and encourages all Member States, in particular producing countries, Afghanistan and its neighbours to develop partnerships with the private sector so as to prevent the diversion of precursors;

12. *Looks forward* to the outcome of the international conference in support of Afghanistan, which will be held in Paris on 12 June 2008, and encourages the participants at the conference to make concrete proposals on the ways to address the problem of the diversion of chemical precursors for illicit use, within the wider framework of the discussions on the strengthening of counter-narcotics activities in the Afghanistan National Development Strategy[181] and the National Drug Control Strategy;

13. *Encourages* Member States to submit to the Security Council Committee established pursuant to resolution 1267 (1999) for inclusion on the Consolidated List names of individuals and entities participating in the financing or support of acts or activities of Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, using proceeds derived from the illicit cultivation and production of and trafficking in narcotic drugs produced in Afghanistan and their precursors, in order to give full effect to the relevant provisions of resolution 1735 (2006);

14. *Requests* the Secretary-General to include, as appropriate, in his regular reports to the Security Council and the General Assembly on the situation in Afghanistan, in close consultation with the United Nations Office on Drugs and Crime and the International Narcotics Control Board, observations and recommendations on the fight against drug production and trafficking, notably on the issue of the illicit traffic in chemical precursors to and within Afghanistan;

15. *Invites* the Commission on Narcotic Drugs to consider, in accordance with its mandate, ways to strengthen regional and international cooperation to prevent the diversion and smuggling of chemical precursors to and within Afghanistan, and further opportunities for Member States to support the Government of Afghanistan in developing capacities to tackle precursors and trafficking;

16. *Decides* to remain seized of the matter.

Adopted unanimously at the 5907th meeting.

Decisions

At its 5930th meeting, on 9 July 2008, the Security Council decided to invite the representatives of Afghanistan (Minister for Foreign Affairs), Australia, Canada, India, Iran (Islamic Republic of), Japan, the Netherlands, New Zealand, Norway, Pakistan (Minister for Foreign Affairs) and Turkey to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

"Special report of the Secretary-General pursuant to Security Council resolution 1806 (2008) on the United Nations Assistance Mission in Afghanistan (S/2008/434)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Kai Eide, Special Representative of the Secretary-General for Afghanistan, and Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

At its 5932nd meeting, on 11 July 2008, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

"Special report of the Secretary-General pursuant to Security Council resolution 1806 (2008) on the United Nations Assistance Mission in Afghanistan (S/2008/434)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[192]

"The Security Council welcomes the special report of the Secretary-General on the International Conference in Support of Afghanistan, held in Paris on 12 June 2008, and on the United Nations Assistance Mission in Afghanistan,[193] as well as the briefing by the Special Representative of the Secretary-General for Afghanistan, Mr. Kai Eide, on 9 July 2008.[194]

"The Council welcomes the outcome of the Conference, including the generous financial pledges made in support of the Afghanistan National Development Strategy[181] and the commitment by the Government of Afghanistan to promote security, good governance, the rule of law, human rights and socio-economic development and to pursue political and economic reform, including by taking concrete steps to combat corruption. The Council welcomes the strengthened partnership between the Government and the international community resulting from such mutual pledges and commitments. The Council endorses the key elements identified in the Paris Declaration as essential for the security and prosperity of the Afghan people, including the importance of holding free, fair and secure elections in 2009 and 2010, the importance of ensuring respect for the human rights of all Afghans and

[192] S/PRST/2008/26.

[193] S/2008/434.

[194] See S/PV.5930.

the provision of humanitarian assistance, and the need to improve aid effectiveness in order to ensure that the benefits of development are tangible for every Afghan.

"The Council also welcomes the review of the Afghanistan Compact[178] presented at the Conference. In this regard, the Council reiterates its call upon the Government of Afghanistan and the international community to implement the Compact and the annexes thereto in full.

"The Council recalls the strengthened role of the Mission and the Special Representative in leading and coordinating international civilian efforts in Afghanistan, through an integrated approach and guided by the principle of reinforcing Afghan ownership and leadership. The Council reaffirms in particular the priorities for the Mission and the Special Representative identified in paragraph 4 of its resolution 1806 (2008) and endorses the views of the Secretary-General and his Special Representative on the areas that require greater attention. The Council calls upon all relevant actors to give their full support to the Mission's enhanced coordinating role.

"The Council endorses the recommendation that, in order for the Mission to fulfil its mandate, much greater substantive, administrative and security resources will need to be expeditiously mobilized in the areas mentioned in the report of the Secretary-General, through the relevant processes and procedures within the United Nations system. The Council welcomes in particular the intention to proceed, pursuant to resolution 1806 (2008), with another expansion of the field presence of the Mission through the opening of six new provincial offices over the next 12 months. The Council also welcomes plans to improve the coherence of action of the United Nations country team in support of the priorities of the Mission.

"The Council reaffirms once again its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan. The Council expresses its strong concern about the security situation in Afghanistan and stresses the need to continue to address the threat to the security and stability of Afghanistan posed by the Taliban, Al-Qaida, illegal armed groups, criminals and those involved in the narcotics trade and in the diversion of chemical precursors, including through the implementation of measures introduced in its resolution 1267 (1999) and other relevant resolutions of the Council. The Council notes the links between illicit drug trafficking, corruption and terrorism, and stresses the need for full implementation of its resolution 1817 (2008) on international cooperation to prevent trafficking in and diversion of chemical precursors of heroin for illicit use in Afghanistan."

THE SITUATION IN SIERRA LEONE[195]

Decisions

On 18 October 2007, the President of the Security Council addressed the following letter to the Secretary-General:[196]

"I have the honour to inform you that your letter dated 9 October 2007 concerning your request that the Security Council approve the request of the United Nations Integrated Office in Sierra Leone to retain the additional 5 military liaison officers and 10 civilian

[195] Resolutions or decisions on this question were first adopted by the Security Council in 1995.

[196] S/2007/614.

police officers for a further period of two months, from 31 October to 31 December 2007,[197] has been brought to the attention of the members of the Council. They have approved the request contained in your letter."

At its 5804th meeting, on 14 December 2007, the Council decided to invite the representatives of the Netherlands (Chairperson of the Sierra Leone configuration of the Peacebuilding Commission) and Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

"Fifth report of the Secretary-General on the United Nations Integrated Office in Sierra Leone (S/2007/704)".

At its 5813th meeting, on 21 December 2007, the Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

"Fifth report of the Secretary-General on the United Nations Integrated Office in Sierra Leone (S/2007/704)".

Resolution 1793 (2007) of 21 December 2007

The Security Council,

Reaffirming its previous resolutions and the statements by its President concerning the situation in Sierra Leone, in particular resolutions 1620 (2005) of 31 August 2005, 1688 (2006) of 16 June 2006 and 1734 (2006) of 22 December 2006,

Commending the valuable contribution that the United Nations Integrated Office in Sierra Leone has made to the recovery of Sierra Leone from conflict and to the country's peace, security and development,

Welcoming the report of the Secretary-General of 4 December 2007[198] and the recommendation that the mandate of the United Nations Integrated Office in Sierra Leone be extended for a further nine months, until 30 September 2008, with a view to providing continued peacebuilding assistance to the Government of Sierra Leone and preparing for the local elections in June 2008,

Taking note of the letter dated 22 October 2007 from the President of Sierra Leone to the Secretary-General requesting the extension of the mandate of the United Nations Integrated Office in Sierra Leone,[199]

Welcoming the holding of peaceful and democratic parliamentary and presidential elections in August and September 2007, and stressing that the wide acceptance of the local elections in June 2008 will be another important milestone in consolidating a sustainable peace in Sierra Leone,

Emphasizing the importance of the continued support of the United Nations system and the international community for the long-term peace, security and development of Sierra Leone, particularly through the strengthening of the capacity of the Government of Sierra Leone,

Welcoming the adoption on 12 December 2007 of the Sierra Leone Peacebuilding Cooperation Framework highlighting, inter alia, five priority areas in the peace consolidation

[197] S/2007/613.

[198] S/2007/704.

[199] S/2007/659, annex.

process to be addressed by the Government of Sierra Leone with the support of the Peacebuilding Commission, the United Nations system and bilateral and multinational partners,[200]

Welcoming also the progress made in reforming the security sector in Sierra Leone and, in particular, the developing professionalism of the Sierra Leone armed forces and police, and urging further strengthening and rationalizing of the security architecture so that the police and armed forces are sustainable in the long term and able to carry out their tasks effectively,

Reiterating its appreciation for the work of the Special Court for Sierra Leone and its vital contribution to reconciliation and the rule of law in Sierra Leone and the subregion, reiterating its expectation that the Court will finish its work expeditiously, and calling upon Member States to contribute generously to the Court,

Welcoming the role played by the Economic Community of West African States, and encouraging the member States of the Mano River Union and other organizations to continue their efforts aimed at building regional and subregional peace and security,

1. *Decides* to extend the mandate of the United Nations Integrated Office in Sierra Leone, as outlined in resolution 1620 (2005), until 30 September 2008;

2. *Requests* the Secretary-General to submit by 31 January 2008, and for consideration by the Security Council, a completion strategy for the United Nations Integrated Office in Sierra Leone, including:

- At least a 20 per cent reduction in staff numbers by 31 March 2008;
- A continued mission at 80 per cent of the current strength until 30 June 2008; and
- The termination of the mandate of the Integrated Office by 30 September 2008;

3. *Emphasizes* the importance of the United Nations Integrated Office in Sierra Leone focusing, in particular, on providing assistance to the local elections scheduled for 21 June 2008, and to national commissions and institutions for the promotion of good governance and human rights, and actively supporting the work of the Peacebuilding Commission and the Peacebuilding Fund; and in this regard requests the Secretary-General to ensure that there is adequate capacity, expertise and resources within the Integrated Office;

4. *Expresses its intention* that, on the expiration of its mandate, the United Nations Integrated Office in Sierra Leone should be replaced by a United Nations integrated political office to focus on carrying forward the peacebuilding process, mobilizing international donor support, supporting the work of the Peacebuilding Commission and the Peacebuilding Fund and completing any residual tasks left over from the mandate of the Integrated Office, in particular promoting national reconciliation and supporting the constitutional reform process; and requests the Secretary-General to submit specific proposals on the mandate, structure and strength of the successor office in his next report to the Council in April 2008;

5. *Calls upon* all parties in Sierra Leone to ensure that the 2008 local elections are peaceful, transparent, free and fair, further calls upon the Government of Sierra Leone to provide the necessary support for the electoral institutions, and urges Member States and relevant international and regional organizations to provide technical and material support;

6. *Emphasizes* that the Government of Sierra Leone bears the primary responsibility for peacebuilding, security and long-term development in the country, and encourages the Government to continue its close engagement with the Peacebuilding Commission, including through the regular monitoring of progress in the implementation of the Sierra Leone Peacebuilding Cooperation Framework,[200] and international donors to continue to provide support to the Government;

[200] PBC/2/SLE/1.

7. *Calls upon* the Government of Sierra Leone, the United Nations Integrated Office in Sierra Leone and all other stakeholders in the country to increase their efforts to promote good governance, including through continued measures to combat corruption, improve accountability, promote the development of the private sector to generate wealth and employment opportunities, strengthen the judiciary and promote human rights;

8. *Acting* under Chapter VII of the Charter of the United Nations, decides to exempt from the measures imposed by paragraph 5 of resolution 1171 (1998) of 5 June 1998 the travel of any witnesses whose presence at trial before the Special Court for Sierra Leone is required;

9. *Emphasizes* the important role of women in the prevention and resolution of conflicts and in peacebuilding, as recognized in resolution 1325 (2000) of 31 October 2000, underlines that a gender perspective should be taken into account in implementing all aspects of the mandate of the United Nations Integrated Office in Sierra Leone, encourages the Integrated Office to work with the Government of Sierra Leone in this area, and requests the Secretary-General to ensure that there is adequate capacity, expertise and resources within the Integrated Office to carry out this work and, where appropriate, to include in his reporting to the Council progress on gender mainstreaming throughout the Integrated Office and all other aspects relating to the situation of women and girls, especially in relation to the need to protect them from gender-based violence;

10. *Welcomes* the efforts undertaken by the United Nations Integrated Office in Sierra Leone to implement the Secretary-General's zero-tolerance policy on sexual exploitation and abuse to ensure full compliance of its personnel with the United Nations code of conduct;

11. *Requests* that the Secretary-General keep the Council regularly informed of progress made in the implementation of the mandate of the United Nations Integrated Office in Sierra Leone and the present resolution;

12. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5813th meeting

Decisions

In a letter dated 21 December 2007,[201] the President of the Security Council informed the Secretary-General that his letter dated 28 November 2007[202] had been brought to the attention of the members of the Council and that they concurred with his recommendation and also took note of the intention expressed therein.

On 28 February 2008, the President of the Security Council addressed the following letter to the Secretary-General:[203]

> "I have the honour to inform you that your letter dated 31 January 2008[204] has been brought to the attention of members of the Security Council.
>
> "The Council takes note of the completion strategy for the United Nations Integrated Office in Sierra Leone[204] and welcomes the action taken by the Integrated Office to provide details of the proposed 20 per cent reduction in the number of staff by 31 March 2008.
>
> "Council members would welcome further information in your April 2008 report on the planned drawdown of the Integrated Office between the local elections scheduled for 5 July 2008 and its completion in September 2008, along with specific proposals on the mandate, structure and strength of the successor integrated political office. They would also

[201] The letter, which was issued as a Security Council document under the symbol S/2007/754, has been reproduced on page 37 of the present volume.

[202] S/2007/753.

[203] S/2008/137.

[204] S/2008/63.

be interested to know your plans for the United Nations police/military adviser team element.

"The Council re-emphasizes the role of the Integrated Office in providing assistance to the local elections, and national commissions and institutions for the promotion of good governance and human rights, while actively supporting the implementation of the Sierra Leone Peacebuilding Cooperation Framework[204] and the work of the Peacebuilding Commission and the Peacebuilding Fund to carry forward the peacebuilding process."

At its 5887th meeting, on 7 May 2008, the Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

"Sixth report of the Secretary-General on the United Nations Integrated Office in Sierra Leone (S/2008/281)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Dmitry Titov, Assistant Secretary-General for Rule of Law and Security Institutions in the Department of Peacekeeping Operations of the Secretariat.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Frank Majoor, Chairperson of the Sierra Leone configuration of the Peacebuilding Commission and Permanent Representative of the Netherlands to the United Nations.

RELATIONS BETWEEN CAMEROON AND NIGERIA[205]

Decisions

On 5 December 2007, the President of the Security Council addressed the following letter to the Secretary-General:[206]

"I have the honour to inform you that your letter dated 30 November 2007 concerning your intention to continue the activities of the United Nations support team to the Cameroon-Nigeria Mixed Commission, with funding from the regular budget,[207] has been brought to the attention of the members of the Security Council. They take note of the information contained in your letter and the intention expressed therein. They also urge the members of the Mixed Commission to work with international donors to seek further voluntary contributions."

In a letter dated 21 December 2007,[208] the President of the Security Council informed the Secretary-General that his letter dated 28 November 2007[209] had been brought to the attention of the members of the Council and that they concurred with his recommendation and also took note of the intention expressed therein.

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[205] Resolutions or decisions on this question were first adopted by the Security Council in 1996.

[206] S/2007/710.

[207] S/2007/695.

[208] The letter, which was issued as a Security Council document under the symbol S/2007/754, has been reproduced on page 37 of the present volume.

[209] S/2007/753.

THE SITUATION IN THE GREAT LAKES REGION[210]

Decisions

At its 5783rd meeting, on 21 November 2007, the Security Council decided to invite the representatives of the Democratic Republic of the Congo and Rwanda to participate, without vote, in the discussion of the item entitled "The situation in the Great Lakes region".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[211]

> "The Security Council commends the Governments of the Democratic Republic of the Congo and the Republic of Rwanda for their joint communiqué on a common approach to end the threat posed to peace and stability in both countries and the Great Lakes region, signed at Nairobi on 9 November 2007,[212] which is an important milestone towards the definitive settlement of the problem of illegal armed groups in the eastern part of the Democratic Republic of the Congo.
>
> "The Council expresses its appreciation for the efforts undertaken in this respect by the Secretary-General through the special mission carried out by the Assistant Secretary-General for Political Affairs, Mr. Haile Menkerios, and looks forward to a continuation of this involvement, including further consultations with the Governments concerned and regional and international partners.
>
> "The Council recalls that the continued presence of illegal armed groups, in particular the Forces démocratiques de libération du Rwanda, the ex-Rwandan Armed Forces/Interahamwe and the dissident militia of Mr. Laurent Nkunda, is one of the root causes of conflict in the eastern part of the Democratic Republic of the Congo and constitutes a threat to regional stability. The Council reiterates its demand that these groups lay down their arms and engage voluntarily and without preconditions in their demobilization, repatriation, resettlement and reintegration, as appropriate.
>
> "The Council encourages the authorities of the Democratic Republic of the Congo and the Republic of Rwanda to implement fully their commitments in the Nairobi communiqué and to continue to cooperate to solve their common security concerns.
>
> "The Council stresses its readiness to facilitate and support the implementation of these commitments, in particular through measures against additional individuals and entities, including the Forces démocratiques de libération du Rwanda and the ex-Rwandan Armed Force-/Interahamwe, as appropriate, pursuant to resolutions 1596 (2005) and 1649 (2005).
>
> "The Council reiterates its full support to the United Nations Organization Mission in the Democratic Republic of the Congo for its action on the ground, and encourages it to support, within its mandate and capabilities, the measures agreed by the Governments of the Democratic Republic of the Congo and the Republic of Rwanda."

On 6 December 2007, the President of the Security Council addressed the following letter to the Secretary-General:[213]

> "I have the honour to inform you that your letter dated 21 November 2007 concerning your proposal that the mandate of the temporary Liaison Office of your Special Envoy for the Lord's Resistance Army-affected areas be extended and the Office upgraded to a special

[210] Resolutions or decisions on this question were first adopted by the Security Council in 1996.

[211] S/PRST/2007/44.

[212] S/2007/679, annex.

[213] S/2007/720.

political mission for the Special Envoy for a duration of one year, until 31 December 2008,[214] has been brought to the attention of the members of the Security Council. They take note of the information and proposal contained in your letter."

At its 5852nd meeting, on 13 March 2008, the Council decided to invite the representatives of the Democratic Republic of the Congo and Rwanda to participate, without vote, in the discussion of the item entitled "The situation in the Great Lakes region".

Resolution 1804 (2008)
of 13 March 2008

The Security Council,

Recalling its previous resolutions, in particular resolutions 1649 (2005) of 21 December 2005, 1771 (2007) of 10 August 2007, 1794 (2007) of 21 December 2007 and 1797 (2008) of 30 January 2008, and the statements by its President concerning the Democratic Republic of the Congo and the Great Lakes region,

Reaffirming its commitment to respect for the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo and the Republic of Rwanda as well as all States in the region,

Expressing its grave concern at the continued presence of the Forces démocratiques de libération du Rwanda, the ex-Rwandan Armed Forces/Interahamwe and other Rwandan armed groups referred to in the joint communiqué of the Governments of the Democratic Republic of the Congo and the Republic of Rwanda signed at Nairobi on 9 November 2007 ("the Nairobi communiqué")[212] operating in the eastern part of the Democratic Republic of the Congo, which continues to pose a serious threat to the peace and security of the entire Great Lakes region,

Deploring the persistence of violations of human rights and international humanitarian law carried out by the Forces démocratiques de libération du Rwanda, the ex-Rwandan Armed Forces/Interahamwe and other Rwandan armed groups operating in the eastern part of the Democratic Republic of the Congo, condemning in particular sexual violence perpetrated by those groups, and recalling its resolution 1325 (2000) of 31 October 2000 on women and peace and security, its resolution 1612 (2005) of 26 July 2005 on children and armed conflict and the conclusions on children and armed conflict in the Democratic Republic of the Congo endorsed by it,[215]

Recognizing the commitment and sustained efforts of the Democratic Republic of the Congo, the Republic of Rwanda, other countries of the region and their international partners to solve their common security concerns and achieve and sustain regional peace and stability, as expressed in particular in the Nairobi communiqué and the conclusions of the high-level meeting of the Tripartite Plus Joint Commission, held in Addis Ababa on 4 and 5 December 2007,

Recalling the signing at Nairobi on 15 December 2006 of the Pact on Security, Stability and Development in the Great Lakes Region, and underscoring the commitments not to support rebel armed groups and to cooperate with a view to disarming and dismantling existing rebel armed groups,

Welcoming the decision of the Government of the Democratic Republic of the Congo to hold a meeting in Kisangani to address the issue of the presence of the Forces démocratiques de libération du Rwanda, the ex-Rwandan Armed Forces/Interahamwe and other Rwandan armed groups in the Democratic Republic of the Congo,

[214] S/2007/719.

[215] S/AC.51/2007/17.

Supporting the ongoing efforts of the United Nations Organization Mission in the Democratic Republic of the Congo to promote the voluntary disarmament, demobilization, repatriation, resettlement and reintegration of these groups,

Expressing its grave concern at the continued presence of other armed groups and militias in the eastern part of the Democratic Republic of the Congo, which perpetuates a climate of insecurity in the whole region, underscoring that the statements of commitment (*Actes d'engagement*) signed at Goma on 23 January 2008, together with the Nairobi communiqué, represent a major step towards the restoration of lasting peace and stability in the Great Lakes region, calling upon the signatories to the Goma statements of commitment to take immediate action in support thereof, and expressing its intention to continue to monitor closely their implementation,

1. *Demands* that all members of the Forces démocratiques de libération du Rwanda, the ex-Rwandan Armed Forces/Interahamwe and other Rwandan armed groups operating in the eastern part of the Democratic Republic of the Congo immediately lay down their arms and present themselves without any further delay or preconditions to the Congolese authorities and the United Nations Organization Mission in the Democratic Republic of the Congo for their disarmament, demobilization, repatriation, resettlement and reintegration;

2. *Demands also* that the Forces démocratiques de libération du Rwanda, the ex-Rwandan Armed Forces/Interahamwe and other Rwandan armed groups operating in the eastern part of the Democratic Republic of the Congo immediately stop recruiting and using children, release all children associated with them and put an end to gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence, and stresses the need for those responsible to be brought to justice;

3. *Recalls* the mandate of the Mission to facilitate the voluntary demobilization and repatriation of disarmed foreign combatants and their dependants, and to use all necessary means, within the limits of its capacity and in the areas where its units are deployed, to support operations led by the integrated brigades of the Armed Forces of the Democratic Republic of the Congo with a view to disarming the recalcitrant armed groups in order to ensure their participation in the disarmament, demobilization, repatriation, resettlement and reintegration process;

4. *Calls upon* the Governments of the Democratic Republic of the Congo and the Republic of Rwanda to intensify their cooperation to implement their commitments under the Nairobi communiqué,[212] in particular with a view to creating the conditions conducive to the repatriation of demobilized combatants;

5. *Recalls* that the targeted measures, including a travel ban and an asset freeze imposed by paragraphs 13 and 15 of resolution 1596 (2005) of 18 April 2005 were extended by resolution 1649 (2005) and resolution 1698 (2006) of 31 July 2006 to apply, in particular, to political and military leaders of armed groups operating in the Democratic Republic of the Congo who impede the disarmament and the voluntary repatriation or resettlement of combatants belonging to those groups, and stresses that those measures are applicable to leaders of the Forces démocratiques de libération du Rwanda, the ex-Rwandan Armed Forces/Interahamwe and other Rwandan armed groups designated in accordance with the provisions of those resolutions;

6. *Undertakes* to consider, in its forthcoming review of the measures described in paragraph 5 above, expanding their applicability, as appropriate and taking into account participation in or contribution to the disarmament, demobilization, repatriation, resettlement and reintegration process, to other members of the Forces démocratiques de libération du Rwanda, the ex-Rwandan Armed Forces/Interahamwe or other Rwandan armed groups operating in the territory of the Democratic Republic of the Congo or to persons providing other forms of assistance to them;

7. *Stresses* that the arms embargo imposed by resolution 1493 (2003) of 28 July 2003, as expanded by resolution 1596 (2005), prohibits the provision of arms and any related materiel or technical training and assistance to all foreign armed groups and illegal Congolese militias in the

Democratic Republic of the Congo, including the Forces démocratiques de libération du Rwanda, the ex-Rwandan Armed Forces/Interahamwe and other Rwandan armed groups;

8. *Calls upon* Member States to consider taking the measures necessary to prevent the provision by their nationals or from their territories of any financial, technical or other forms of support to or for the benefit of the Forces démocratiques de libération du Rwanda, the ex-Rwandan Armed Forces/Interahamwe or other Rwandan armed groups operating in the territory of the Democratic Republic of the Congo;

9. *Reiterates its call upon* all States to intensify cooperation with and render all necessary assistance to the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5852nd meeting.

Decision

In a letter dated 30 May 2008, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Africa.[216]

THE SITUATION CONCERNING THE DEMOCRATIC REPUBLIC OF THE CONGO[217]

Decision

At its 5730th meeting, on 10 August 2007, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Letter dated 16 July 2007 from the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo addressed to the President of the Security Council (S/2007/423)".

Resolution 1771 (2007) of 10 August 2007

The Security Council,

Recalling its previous resolutions, in particular resolution 1756 (2007) of 15 May 2007, and the statements by its President concerning the Democratic Republic of the Congo, in particular the statement of 23 July 2007,[218]

Reaffirming its commitment to respect for the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo as well as all States in the region,

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[216] The letter, which was issued as a Security Council document under the symbol S/2008/347, has been reproduced on page 55 of the present volume. The mission took place from 31 May to 10 June 2008 (see S/2008/460).

[217] Resolutions or decisions on this question were first adopted by the Security Council in 1997.

[218] S/PRST/2007/28.

Welcoming the establishment in the Democratic Republic of the Congo of democratically elected institutions, and reaffirming the sovereign authority of the elected Government to establish effective security and control throughout the national territory,

Taking note with satisfaction of the adoption of the programme of the Government, in particular the governance contract included therein,

Taking note of the final report of the Group of Experts on the Democratic Republic of the Congo established pursuant to resolution 1698 (2006),[219]

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo, declaring its determination to continue close monitoring of the implementation of the arms embargo imposed by resolution 1493 (2003) of 28 July 2003 and expanded by resolution 1596 (2005) of 18 April 2005, and to enforce the measures provided for in resolution 1596 (2005) against persons and entities acting in violation of this embargo, as amended and expanded by resolutions 1649 (2005) of 21 December 2005 and 1698 (2006) of 31 July 2006, and recognizing the linkage between the illegal exploitation of natural resources, illicit trade in such resources and the proliferation of and trafficking in arms as one of the factors fuelling and exacerbating conflicts in the Great Lakes region of Africa,

Recalling its resolution 1612 (2005) of 26 July 2005 and its previous resolutions on children and armed conflict, and once again strongly condemning the continued recruitment and use of children, in violation of applicable international law, in the hostilities in the Democratic Republic of the Congo,

Reiterating its serious concern regarding the presence of armed groups and militias in the eastern part of the Democratic Republic of the Congo, particularly in the provinces of North and South Kivu and the Ituri district, which perpetuates a climate of insecurity in the whole region,

Taking note of the report of the Security Council mission which visited Kinshasa on 20 June 2007,[220]

Recalling the importance of urgently carrying out security sector reform and of disarming, demobilizing, resettling or repatriating, as appropriate, and reintegrating Congolese and foreign armed groups for the long-term stabilization of the Democratic Republic of the Congo,

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to renew until 15 February 2008 the measures on arms imposed by paragraph 20 of resolution 1493 (2003), as amended and expanded by paragraph 1 of resolution 1596 (2005);

2. *Reaffirms* paragraph 21 of resolution 1493 (2003) and paragraph 2 of resolution 1596 (2005), and recalls in particular that the measures referred to in paragraph 1 above shall not apply to supplies of arms and related materiel or technical training and assistance intended solely for the support of or use by units of the army and police of the Democratic Republic of the Congo, provided that the said units:

(*a*) Have completed the process of their integration; or

(*b*) Operate under the command, respectively, of the état-major intégré of the Armed Forces or of the National Police of the Democratic Republic of the Congo; or

(*c*) Are in the process of their integration, in the territory of the Democratic Republic of the Congo outside the provinces of North and South Kivu and the Ituri district;

[219] See S/2007/423.

[220] See S/2007/421 and Corr.1.

3. *Decides* that the measures referred to in paragraph 1 above shall not apply to technical training and assistance agreed to by the Government and intended solely for support of units of the army and police of the Democratic Republic of the Congo that are in the process of their integration in the provinces of North and South Kivu and the Ituri district;

4. *Decides also* that the conditions specified in paragraph 4 of resolution 1596 (2005), as now applied to the Government, shall apply to supplies of arms and related materiel as well as technical training and assistance which are consistent with such exemptions noted in paragraphs 2 and 3 above, and notes in this regard that States have an obligation to notify such supplies in advance to the Security Council Committee referred to in paragraph 7 below;

5. *Decides further* to renew, for the period specified in paragraph 1 above, the measures on transport imposed by paragraphs 6, 7 and 10 of resolution 1596 (2005);

6. *Decides* to renew, for the period specified in paragraph 1 above, the financial and travel measures imposed by paragraphs 13 and 15 of resolution 1596 (2005), paragraph 2 of resolution 1649 (2005) and paragraph 13 of resolution 1698 (2006), and reaffirms the provisions of paragraphs 14 and 16 of resolution 1596 (2005) and paragraph 3 of resolution 1698 (2006);

7. *Recalls* the mandate of the Committee established pursuant to paragraph 8 of resolution 1533 (2004), as expanded pursuant to paragraph 18 of resolution 1596 (2005), paragraph 4 of resolution 1649 (2005) and paragraph 14 of resolution 1698 (2006);

8. *Calls upon* all States, in particular those of the region, to support the implementation of the arms embargo and to cooperate fully with the Committee in carrying out its mandate;

9. *Requests* the Secretary-General to re-establish for a period expiring on 15 February 2008 the Group of Experts established pursuant to paragraph 10 of resolution 1533 (2004) of 12 March 2004 and expanded pursuant to paragraph 21 of resolution 1596 (2005);

10. *Requests* the Group of Experts to fulfil its mandate as defined in paragraphs 5 and 17 of resolution 1698 (2006), to update the Committee on its work as appropriate, and to report to the Council in writing, through the Committee, by 15 January 2008;

11. *Requests* the United Nations Organization Mission in the Democratic Republic of the Congo, within its existing capabilities and without prejudice to the performance of its current mandate, and the Group of Experts referred to in paragraph 9 above to continue to focus their monitoring activities in North and South Kivu and in Ituri;

12. *Reaffirms its demand*, expressed in paragraph 19 of resolution 1596 (2005), that all parties and all States cooperate fully with the work of the Group of Experts, and that they ensure:

(*a*) The safety of its members;

(*b*) Unhindered and immediate access, in particular to persons, documents and sites the Group of Experts deems relevant to the execution of its mandate;

13. *Further demands* that all parties and all States ensure the cooperation with the Group of Experts of individuals and entities within their jurisdiction or under their control, and calls upon all States in the region to implement fully their obligations under paragraph 12 above;

14. *Decides* that, no later than 15 February 2008, it shall review the measures set forth in paragraphs 1, 5 and 6 above, with a view to adjusting them, as appropriate, in the light of the consolidation of the security situation in the Democratic Republic of the Congo, in particular progress in security sector reform, including the integration of the armed forces and the reform of the national police, and in disarming, demobilizing, resettling or repatriating, as appropriate, and reintegrating Congolese and foreign armed groups;

15. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 5730th meeting.

Decisions

In a letter dated 19 October 2007,[221] the President of the Security Council informed the Secretary-General that his letter dated 17 October 2007[222] had been brought to the attention of the members of the Council and that they took note of the intention expressed therein.

In a letter dated 6 December 2007,[223] the President of the Security Council informed the Secretary-General that his letter dated 21 November 2007[224] had been brought to the attention of the members of the Council and that they took note of the information and proposal contained therein.

At its 5814th meeting, on 21 December 2007, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Twenty-fourth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2007/671)".

Resolution 1794 (2007) of 21 December 2007

The Security Council,

Recalling its resolutions and the statements by its President concerning the Democratic Republic of the Congo, in particular resolution 1756 (2007) of 15 May 2007,

Reaffirming its commitment to respect for the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo,

Also reaffirming its commitment to continue to contribute to the consolidation of peace and stability in the Democratic Republic of the Congo in the post-transition period, in particular through the United Nations Organization Mission in the Democratic Republic of the Congo,

Underscoring the long-term sustained efforts needed from the Government of the Democratic Republic of the Congo and its international partners to consolidate democracy and promote the rule of law, good governance, recovery and development,

Stressing the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians with respect for the rule of law, human rights and international humanitarian law,

Expressing its grave concern at the continued presence of foreign and Congolese armed groups and militias in the eastern part of the Democratic Republic of the Congo, including the Forces démocratiques de libération du Rwanda, the ex-Rwandan Armed Forces/Interahamwe and the dissident militia of Mr. Laurent Nkunda, which has resulted in a serious security and humanitarian crisis, particularly in North Kivu,

Expressing, in particular, its deep concern at the humanitarian consequences of the recent fighting between the dissident militia of Mr. Laurent Nkunda and the Armed Forces of the Democratic Republic of the Congo, and recalling that a comprehensive approach is needed to tackle the crisis in the Kivus, including efforts to address the presence of all armed groups and militias, to end impunity and to promote reconciliation, social cohesion, recovery and development in the region,

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[221] The letter, which was issued as a Security Council document under the symbol S/2007/623, has been reproduced on page 34 of the present volume.

[222] S/2007/622.

[223] The letter, which was issued as a Security Council document under the symbol S/2007/720, has been reproduced on page 113 of the present volume.

[224] S/2007/719.

Commending the Mission and the Congolese authorities for the substantial progress towards carrying out the disarmament, demobilization and reintegration of combatants in the district of Ituri, which helped to stabilize security conditions in that part of the country,

Commending also the joint efforts of the Governments of the Democratic Republic of the Congo and the Republic of Rwanda to address their common security concerns through dialogue and cooperation, welcoming in particular the joint communiqué on a common approach to end the threat posed to peace and stability in both countries and the Great Lakes region, signed at Nairobi on 9 November 2007,[225] which is an important milestone towards the definitive settlement of the problem of illegal armed groups in the eastern part of the Democratic Republic of the Congo, and expressing its appreciation for the ongoing efforts undertaken in this respect by the Secretary-General, his Special Representative for the Democratic Republic of the Congo and the Assistant Secretary-General for Political Affairs, Mr. Haile Menkerios,

Commending further the joint efforts of the Governments of the Democratic Republic of Congo and the Republic of Uganda to address the continued presence of the Lord's Resistance Army in the eastern part of the Democratic Republic of the Congo, and welcoming in particular the holding of the summit between President Kabila and President Museveni in Ngurdoto, United Republic of Tanzania, on 8 September 2007,

Commending the efforts of the Government of the Democratic Republic of the Congo and other countries of the region to solve their common security concerns, and welcoming the conclusions of the high-level meeting of the Tripartite Plus Joint Commission, held in Addis Ababa on 4 and 5 December 2007,

Recalling its resolution 1325 (2000) of 31 October 2000 on women and peace and security, its resolution 1502 (2003) of 26 August 2003 on the protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones, its resolution 1612 (2005) of 26 July 2005 on children and armed conflict and its resolution 1674 (2006) of 28 April 2006 on the protection of civilians in armed conflict,

Deploring again the persistence of violations of human rights and international humanitarian law in the Democratic Republic of the Congo, in particular those carried out by the Forces démocratiques de libération du Rwanda, the ex-Rwandan Armed Forces/Interahamwe and the dissident militia of Mr. Laurent Nkunda, as well as other militias and armed groups and elements of the Armed Forces of the Democratic Republic of the Congo, the Congolese National Police and other security and intelligence services, and stressing the urgent need for those responsible for these crimes to be brought to justice,

Condemning, in particular, sexual violence perpetrated by militias and armed groups as well as elements of the Armed Forces of the Democratic Republic of the Congo, the Congolese National Police and other security and intelligence services, stressing the urgent need for the Government of the Democratic Republic of the Congo, in cooperation with the Mission and other relevant actors, to end such violence and bring the perpetrators, as well as the senior commanders under whom they serve, to justice, and calling upon Member States to assist in this regard and to continue to provide medical, humanitarian and other assistance to victims,

Recalling the conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties to the armed conflict in the Democratic Republic of the Congo,[226]

Welcoming the policy of the Mission to promote and protect the rights of women and to take into account gender considerations, as set out in resolution 1325 (2000), as a cross-cutting issue throughout its mandate and to keep the Council informed,

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[225] S/2007/679, annex.

[226] S/AC.51/2007/17.

Urging all States, especially those in the region, including the Democratic Republic of the Congo itself, to take the appropriate steps to end the illegal trade in natural resources,

Declaring its determination to continue to monitor closely the implementation of the arms embargo and other measures set out in its resolutions,

Recalling the importance of elections, including the forthcoming local elections, for the longer-term restoration of peace and stability, national reconciliation and the establishment of the rule of law in the Democratic Republic of the Congo,

Recalling also the importance of urgently carrying out security sector reform for the long-term stabilization of the Democratic Republic of the Congo,

Taking note of the twenty-fourth report of the Secretary-General on the Mission, of 14 November 2007[227] and of the recommendations contained therein,

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend the mandate and capacity of the United Nations Organization Mission in the Democratic Republic of the Congo, as set out in resolution 1756 (2007), until 31 December 2008, and authorizes the continuation until that date of up to 17,030 military personnel, 760 military observers, 391 police personnel and 6 formed police units comprising up to 125 personnel each;

2. *Requests* the Mission to attach the highest priority to addressing the crisis in the Kivus in all its dimensions, in particular through the protection of civilians and support for the implementation of the Nairobi joint communiqué;[225]

3. *Demands* that the militias and armed groups that are still present in the eastern part of the Democratic Republic of the Congo, in particular the Forces démocratiques de libération du Rwanda, the ex-Rwandan Armed Forces/Interahamwe, the dissident militia of Mr. Laurent Nkunda and the Lord's Resistance Army, lay down their arms and engage voluntarily and without any further delay or preconditions in their demobilization, repatriation, resettlement and reintegration, as appropriate, stresses the need to ensure that those militias and armed groups do not receive any support for their illegal activities, and, recalling its resolution 1698 (2006) of 31 July 2006, also demands that all armed groups, in particular the forces of Mr. Nkunda and the Forces démocratiques de libération du Rwanda, immediately stop recruiting and using children and release all children associated with them;

4. *Urges* the Government of the Democratic Republic of the Congo to address the crisis in the Kivus in a comprehensive way, including by promptly convening the round table on peace, security and development in the Kivus;

5. *Encourages* the Mission, in accordance with its mandate and emphasizing that the protection of civilians must be given priority in decisions about the use of available capacity and resources, to use all necessary means, within the limits of its capacity and in the areas where its units are deployed, to support the integrated brigades of the Armed Forces of the Democratic Republic of the Congo with a view to disarming the recalcitrant foreign and Congolese armed groups, in particular the Forces démocratiques de libération du Rwanda, the ex-Rwandan Armed Forces/Interahamwe and the dissident militia of Mr. Laurent Nkunda, in order to ensure their participation in the disarmament, demobilization, repatriation, resettlement and reintegration processes, as appropriate;

[227] S/2007/671.

6. *Requests* the Secretary-General to report by 31 March 2008 on how the Mission could further support the Armed Forces of the Democratic Republic of the Congo or take other measures in dealing with illegal foreign and Congolese armed groups;

7. *Emphasizes* that such operations by the Armed Forces of the Democratic Republic of the Congo should be planned jointly with the Mission and in accordance with international humanitarian, human rights and refugee law and should include appropriate measures to protect civilians, and requests the Secretary-General to include in his reports to the Security Council an assessment of the measures taken to protect civilians;

8. *Recalls* the mandate of the Mission to use all necessary means to protect civilians under imminent threat of physical violence, particularly in the Kivus;

9. *Requests* the Secretary-General to continue to use his good offices in facilitating a political solution to address the underlying causes of the crisis in the Kivus, in close consultation with the Government of the Democratic Republic of the Congo, Governments of the region and other regional and international partners;

10. *Calls upon* the Governments of the Democratic Republic of the Congo and the Republic of Rwanda, as a matter of urgency, to fully implement their commitments under the Nairobi joint communiqué and to continue to cooperate to solve their common security concerns;

11. *Calls upon* the Governments of the Democratic Republic of the Congo and the Republic of Uganda to fully implement their commitments under the Ngurdoto Agreement[228] and to continue to cooperate to solve their common security concerns;

12. *Welcomes* the letter of the Secretary-General dated 11 October 2007 and the letter dated 30 November 2007[229] with respect to assistance by the Mission to the Congolese authorities in the organization, preparation and conduct of local elections, requests the Mission, consistent with its existing mandate, to begin to provide the assistance described in those letters, and expresses its intention to further consider the issue by the end of January 2008;

13. *Calls upon* the Congolese authorities to intensify, as a matter of urgency, their efforts to reform the security sector, including the army, the police and the justice sector, encourages in particular the development of a comprehensive plan and timelines for the reform of the army, invites the Government of the Democratic Republic of the Congo to hold as soon as possible the planned round table on security sector reform, and urges international partners to support this endeavour;

14. *Underlines* the importance of the support that the Mission is providing, in close cooperation with the Congolese authorities, the United Nations country team and donors, to the strengthening of democratic institutions and the rule of law in the Democratic Republic of the Congo, and calls upon the Congolese authorities to take full advantage of the assistance offered by the Mission and other international partners in these respects;

15. *Reiterates its call upon* the Congolese authorities to put an end to impunity by bringing to justice without delay perpetrators of grave violations of human rights and of international humanitarian law, with special attention to those responsible for the recruitment and use of children as well as for grave violations against women and children, in particular sexual violence, to fully support the human rights mapping exercise initiated in the country by the United Nations High Commissioner for Human Rights, and to establish a vetting mechanism to take into account, when they select candidates for official positions, including key posts in the armed forces, the national police and other security services, the past actions of the candidates in terms of respect for international humanitarian law and human rights;

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[228] S/2007/564, annex.

[229] S/2007/694.

16. *Recalls* the mandate of the Mission to assist in the promotion and protection of human rights and investigate human rights violations with a view to putting an end to impunity, assist in the development and implementation of a transitional justice strategy and cooperate in national and international efforts to bring to justice perpetrators of grave violations of human rights and international humanitarian law;

17. *Reaffirms* the obligation of all parties to comply fully with the relevant rules and principles of international humanitarian law relating to the protection of humanitarian and United Nations personnel, and also demands that all parties concerned grant immediate, full and unimpeded access by humanitarian personnel to all persons in need of assistance, as provided for in applicable international law;

18. *Requests* the Mission, in view of the scale and severity of sexual violence committed especially by armed elements in the Democratic Republic of the Congo, to undertake a thorough review of its efforts to prevent and respond to sexual violence, and to pursue a comprehensive mission-wide strategy, in close cooperation with the United Nations country team and other partners, to strengthen prevention, protection and response to sexual violence, including through training for the Congolese security forces in accordance with its mandate, and to regularly report, including in a separate annex if necessary, on actions taken in this regard, including factual data and trend analyses of the problem;

19. *Encourages* the Mission to enhance its interaction with the civilian population, in particular internally displaced persons, to raise awareness about its mandate and activities;

20. *Takes note* of the benchmarks presented by the Secretary-General for a future gradual drawdown of the Mission,[227] encourages the Mission to focus the activities of all its components on helping the Congolese authorities to achieve those benchmarks, and requests the Secretary-General to further develop the benchmarks and to report regularly to the Council on the progress made in this regard, including on the application of the integrated missions planning process;

21. *Requests* the Secretary-General to continue to report regularly, and at least every three months, on the situation in the Democratic Republic of the Congo and on the activities of the Mission, including on the issues referred to in paragraphs 7, 18 and 20 above;

22. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5814th meeting.

Decision

At its 5828th meeting, on 30 January 2008, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

"Twenty-fourth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2007/671)

"Letter dated 30 November 2007 from the Secretary-General to the President of the Security Council (S/2007/694)".

Resolution 1797 (2008)
of 30 January 2008

The Security Council,

Recalling its resolutions and the statements by its President concerning the Democratic Republic of the Congo, in particular resolutions 1756 (2007) of 15 May 2007 and 1794 (2007) of 21 December 2007,

Reaffirming its commitment to continue to contribute to the consolidation of peace and stability in the Democratic Republic of the Congo in the post-transition period, in particular through the United Nations Organization Mission in the Democratic Republic of the Congo,

Recalling the importance of elections, including the forthcoming local elections, for the longer-term restoration of peace and stability, national reconciliation and the establishment of the rule of law in the Democratic Republic of the Congo,

Encouraging international partners to continue to support the electoral process in the Democratic Republic of the Congo,

Welcoming the letter of the Secretary-General dated 11 October 2007 and the letter dated 30 November 2007[229] and the recommendations contained in the twenty-fourth report of the Secretary-General on the Mission, of 14 November 2007[227] with respect to assistance by the Mission to the Congolese authorities in the organization, preparation and conduct of local elections,

1. *Authorizes* the United Nations Organization Mission in the Democratic Republic of the Congo, in close coordination with international partners and the United Nations country team, to provide assistance to the Congolese authorities, including the National Independent Electoral Commission, in the organization, preparation and conduct of local elections, as recommended in the letter of the Secretary-General dated 11 October 2007 and the letter dated 30 November 2007;[229]

2. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5828th meeting.

Decisions

Also at the 5828th meeting, following the adoption of resolution 1797 (2008), the President of the Security Council made the following statement on behalf of the Council:[230]

"The Security Council congratulates President Kabila and the Government of the Democratic Republic of the Congo, as well as the organizers of and participants in the Conference on Peace, Security and Development in North and South Kivu, on the success of the Conference, held in Goma from 6 to 23 January 2008.

"The Council is particularly pleased that the armed groups in North and South Kivu have undertaken to observe a complete and immediate ceasefire, to begin the withdrawal of their forces with a view to their *brassage* or their disarmament, demobilization and reintegration under the national programme for that process, and to abide strictly by the rules of international humanitarian and human rights law, set out in the statements of commitment (*Actes d'engagement*) which they signed with the Government of the Democratic Republic of the Congo on 23 January 2008.

"The Council commends the Government of the Democratic Republic of the Congo for ordering a ceasefire in accordance with the statements of commitment. Within the framework of the fight against impunity, while noting the Government's pledge to seek parliamentary approval of an amnesty law covering acts of war and insurrection, the Council welcomes the exclusion of genocide, war crimes and crimes against humanity from the scope of this amnesty.

"The Council urges all the parties to the agreements to respect the ceasefire and to implement the other commitments they have undertaken effectively and in good faith. In this connection, it emphasizes the importance of the work to be carried out by the joint commissions provided for in the statements of commitment, and encourages the

[230] S/PRST/2008/2.

international community, including the United Nations Organization Mission in the Democratic Republic of the Congo, to support that process. It also encourages the Mission to support the implementation of the statements of commitment, within the limits of its capacity and in accordance with its mandate, including with regard to the protection of civilians.

"The Council also welcomes the resolutions adopted at the Goma Conference and calls upon the appropriate authorities to act on the recommendations addressed to them. It underscores the need for the Congolese authorities and all political and social stakeholders in North and South Kivu to continue, through dialogue, to seek long-term and comprehensive ways to address the root causes of instability.

"The Council reiterates the importance of the commitments undertaken by the Government of the Democratic Republic of the Congo and the Government of the Republic of Rwanda in their joint communiqué on a common approach to end the threat posed by illegal armed groups in the eastern part of the Democratic Republic of the Congo to peace and stability in both countries and the Great Lakes region, signed at Nairobi on 9 November 2007.[225] It calls upon the two Governments to continue to implement fully the joint communiqué, in particular by promptly taking appropriate measures to induce the Forces démocratiques de libération du Rwanda and other foreign armed groups to lay down their arms without preconditions and return to their home countries.

"The Council encourages the international community, in particular the eastern neighbours of the Democratic Republic of the Congo in the Great Lakes region, to fully support the new dynamic launched by the Goma Conference and the Nairobi joint communiqué, which together represent a major step towards the restoration of lasting peace and stability in the Great Lakes region."

At its 5836th meeting, on 15 February 2008, the Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

Resolution 1799 (2008)
of 15 February 2008

The Security Council,

Recalling its previous resolutions, in particular resolutions 1771 (2007) of 10 August 2007 and 1794 (2007) of 21 December 2007, and the statements by its President concerning the Democratic Republic of the Congo,

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo, and declaring its determination to continue to monitor closely the implementation of the arms embargo and other measures set out in its resolutions,

Reiterating its serious concern regarding the presence of armed groups and militias in the eastern part of the Democratic Republic of the Congo, particularly in the provinces of North and South Kivu and the Ituri district, which perpetuates a climate of insecurity in the whole region,

Recalling its intention to review the measures set forth in resolution 1771 (2007), with a view to adjusting them, as appropriate, in the light of consolidation of the security situation in the Democratic Republic of the Congo, in particular progress in security sector reform, including the integration of the armed forces and the reform of the national police, and in disarming, demobilizing, repatriating, resettling and reintegrating, as appropriate, Congolese and foreign armed groups,

Determining that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to extend until 31 March 2008 the measures on arms imposed by paragraph 20 of resolution 1493 (2003) of 28 July 2003 as amended and expanded by paragraph 1 of resolution 1596 (2005) of 18 April 2005;

2. *Decides also* to extend, for the period specified in paragraph 1 above, the measures on transport imposed by paragraphs 6, 7 and 10 of resolution 1596 (2005);

3. *Decides further* to extend, for the period specified in paragraph 1 above, the financial and travel measures imposed by paragraphs 13 and 15 of resolution 1596 (2005), paragraph 2 of resolution 1649 (2005) of 21 December 2005 and paragraph 13 of resolution 1698 (2006) of 31 July 2006;

4. *Decides* to extend, for the period specified in paragraph 1 above, the mandate of the Group of Experts referred to in paragraph 9 of resolution 1771 (2007);

5. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 5836th meeting.

Decision

At its 5861st meeting, on 31 March 2008, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled:

"The situation concerning the Democratic Republic of the Congo

> "Letter dated 11 February 2008 from the Chairman of the Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo addressed to the President of the Security Council (S/2008/43)".

Resolution 1807 (2008)
of 31 March 2008

The Security Council,

Recalling its previous resolutions, in particular resolution 1794 (2007) of 21 December 2007, and the statements by its President concerning the Democratic Republic of the Congo,

Reaffirming its commitment to the sovereignty, territorial integrity and political independence of the Democratic Republic of the Congo as well as all States in the region,

Reiterating its serious concern regarding the presence of armed groups and militias in the eastern part of the Democratic Republic of the Congo, particularly in the provinces of North and South Kivu and the Ituri district, which perpetuates a climate of insecurity in the whole region,

Stressing the primary responsibility of the Government of the Democratic Republic of the Congo for ensuring security in its territory and protecting its civilians with respect for the rule of law, human rights and international humanitarian law,

Recalling the joint communiqué of the Government of the Democratic Republic of the Congo and the Government of the Republic of Rwanda signed at Nairobi on 9 November 2007[225] and the outcome of the Conference on Peace, Security and Development in North and South Kivu, held in Goma from 6 to 23 January 2008, which together represent a major step towards the restoration of lasting peace and stability in the Great Lakes region, and looking forward to their full implementation,

Recalling also its resolution 1804 (2008) of 13 March 2008 and its demand that the Rwandan armed groups operating in the eastern part of the Democratic Republic of the Congo lay down their arms without any further delay or preconditions,

Reiterating the importance of urgently carrying out security sector reform and of disarming, demobilizing, repatriating, resettling and reintegrating, as appropriate, Congolese and foreign

armed groups for the long-term stabilization of the Democratic Republic of the Congo, and welcoming in this regard the round table on the reform of the security sector that was held in Kinshasa on 25 and 26 February 2008,

Taking note of the final report of the Group of Experts on the Democratic Republic of the Congo established pursuant to resolution 1771 (2007) of 10 August 2007 ("the Group of Experts")[231] and of the recommendations contained therein,

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo, and declaring its determination to continue to monitor closely the implementation of the arms embargo and other measures set out in its resolutions concerning the Democratic Republic of the Congo,

Stressing that improved exchange of information between the Security Council Committee established pursuant to resolution 1533 (2004) ("the Committee"), the Group of Experts, the United Nations Organization Mission in the Democratic Republic of the Congo, other United Nations offices and missions in the region, within their respective mandates, and the Governments of the region can contribute to the prevention of arms shipments to non-governmental entities and individuals subject to the arms embargo,

Recognizing the linkage between the illegal exploitation of natural resources, illicit trade in such resources and the proliferation of and trafficking in arms as one of the factors fuelling and exacerbating conflicts in the Great Lakes region of Africa,

Recalling its resolution 1612 (2005) of 26 July 2005 and its previous resolutions on children and armed conflict, and strongly condemning the continued recruitment, targeting and use of children, in violation of applicable international law, in the hostilities in the Democratic Republic of the Congo,

Recalling also its resolution 1325 (2000) of 31 October 2000 on women and peace and security, and strongly condemning the continuing violence, in particular sexual violence, directed against women in the Democratic Republic of the Congo,

Calling upon the donor community to continue to provide urgent assistance needed for the reform of the administration of justice in the Democratic Republic of the Congo,

Recalling the measures on arms imposed by paragraph 20 of resolution 1493 (2003) of 28 July 2003, as amended and expanded by paragraph 1 of resolution 1596 (2005) of 18 April 2005,

Recalling also the measures on transport imposed by paragraphs 6, 7 and 10 of resolution 1596 (2005),

Recalling further the financial and travel measures imposed by paragraphs 13 and 15 of resolution 1596 (2005), paragraph 2 of resolution 1649 (2005) of 21 December 2005 and paragraph 13 of resolution 1698 (2006) of 31 July 2006,

Determining that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

A

1. *Decides*, for a further period ending on 31 December 2008, that all States shall take the necessary measures to prevent the direct or indirect supply, sale or transfer, from their territories or by their nationals, or using their flag vessels or aircraft, of arms and any related materiel, and the provision of any assistance, advice or training related to military activities, including financing and

[231] See S/2008/43.

financial assistance, to all non-governmental entities and individuals operating in the territory of the Democratic Republic of the Congo;

2. *Decides also* that the measures on arms previously imposed by paragraph 20 of resolution 1493 (2003) and paragraph 1 of resolution 1596 (2005), as renewed in paragraph 1 above, shall no longer apply to the supply, sale or transfer of arms and related materiel, and the provision of any assistance, advice or training related to military activities to the Government of the Democratic Republic of the Congo;

3. *Decides further* that the measures in paragraph 1 above shall not apply to:

(*a*) Supplies of arms and related materiel as well as technical training and assistance intended solely for the support of or use by the United Nations Organization Mission in the Democratic Republic of the Congo;

(*b*) Protective clothing, including flak jackets and military helmets, temporarily exported to the Democratic Republic of the Congo by United Nations personnel, representatives of the media and humanitarian and development workers and associated personnel, for their personal use only;

(*c*) Other supplies of non-lethal military equipment intended solely for humanitarian or protective use, and related technical assistance and training, as notified in advance to the Committee in accordance with paragraph 5 below;

4. *Decides* to terminate the obligations set out in paragraph 4 of resolution 1596 (2005) and paragraph 4 of resolution 1771 (2007);

5. *Decides also*, for the period referred to in paragraph 1 above, that all States shall notify in advance to the Committee any shipment of arms and related materiel for the Democratic Republic of the Congo, or any provision of assistance, advice or training related to military activities in the Democratic Republic of the Congo, except those referred to in paragraphs 3 (*a*) and (*b*) above, and stresses the importance of such notifications containing all relevant information, including, where appropriate, the end-user, the proposed date of delivery and the itinerary of shipments;

B

6. *Decides further* that, for a further period ending on the date referred to in paragraph 1 above, all Governments in the region, and in particular those of the Democratic Republic of the Congo and of States bordering Ituri and the Kivus, shall take the necessary measures:

(*a*) To ensure that aircraft operate in the region in accordance with the Convention on International Civil Aviation, signed at Chicago, United States of America, on 7 December 1944,[232] in particular by verifying the validity of documents carried in aircraft and the licences of pilots;

(*b*) To prohibit immediately in their respective territories the operation of any aircraft inconsistent with the conditions in the Convention or the standards established by the International Civil Aviation Organization, in particular with respect to the use of falsified or out-of-date documents, and to notify the Committee of the measures they take in this regard;

(*c*) To ensure that all civilian and military airports or airfields on their respective territories will not be used for a purpose inconsistent with the measures imposed by paragraph 1 above;

7. *Recalls* that, pursuant to paragraph 7 of resolution 1596 (2005), each Government in the region, in particular those of States bordering Ituri and the Kivus, as well as that of the Democratic Republic of the Congo, must maintain a registry for review by the Committee and the Group of Experts of all information concerning flights originating in their respective territories en

[232] International Civil Aviation Organization, document 7300/9 and corrigendum.

route to destinations in the Democratic Republic of the Congo, as well as flights originating in the Democratic Republic of the Congo en route to destinations in their respective territories;

8. *Decides* that, for a further period ending on the date referred to in paragraph 1 above, the Government of the Democratic Republic of the Congo on the one hand, and those of States bordering Ituri and the Kivus on the other hand, shall take the necessary measures:

(*a*) To strengthen, as far as each of them is concerned, customs controls on the borders between Ituri or the Kivus and the neighbouring States;

(*b*) To ensure that all means of transport on their respective territories will not be used in violation of the measures taken by Member States in accordance with paragraph 1 above, and notify the Committee of such actions;

C

9. *Decides* that, during the period of enforcement of the measures referred to in paragraph 1 above, all States shall take the necessary measures to prevent the entry into or transit through their territories of all persons designated by the Committee pursuant to paragraph 13 below, provided that nothing in the present paragraph shall obligate a State to refuse entry into its territory to its own nationals;

10. *Decides also* that the measures imposed by paragraph 9 above shall not apply:

(*a*) Where the Committee determines in advance and on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligation;

(*b*) Where the Committee concludes that an exemption would further the objectives of the resolutions of the Security Council, that is, peace and national reconciliation in the Democratic Republic of the Congo and stability in the region;

(*c*) Where the Committee authorizes in advance, and on a case-by-case basis, the transit of individuals returning to the territory of the State of their nationality, or participating in efforts to bring to justice perpetrators of grave violations of human rights or international humanitarian law;

11. *Decides further* that all States shall, during the period of enforcement of the measures referred to in paragraph 1 above, immediately freeze the funds, other financial assets and economic resources which are on their territories from the date of adoption of the present resolution, which are owned or controlled, directly or indirectly, by persons or entities designated by the Committee pursuant to paragraph 13 below, or that are held by entities owned or controlled, directly or indirectly, by them or by any persons or entities acting on their behalf or at their direction, as designated by the Committee, and decides that all States shall ensure that no funds, financial assets or economic resources are made available by their nationals or by any persons within their territories to or for the benefit of such persons or entities;

12. *Decides* that the provisions of paragraph 11 above do not apply to funds, other financial assets and economic resources that:

(*a*) Have been determined by relevant States to be necessary for basic expenses, including payment for foodstuffs, rent or mortgage, medicines and medical treatment, taxes, insurance premiums and public utility charges, or for payment of reasonable professional fees and reimbursement of incurred expenses associated with the provision of legal services, or fees or service charges, in accordance with national laws, for routine holding or maintenance of frozen funds, other financial assets and economic resources, after notification by the relevant States to the Committee of the intention to authorize, where appropriate, access to such funds, other financial assets and economic resources and in the absence of a negative decision by the Committee within four working days of such notification;

(*b*) Have been determined by relevant States to be necessary for extraordinary expenses, provided that such determination has been notified by the relevant States to the Committee and has been approved by the Committee; or

(*c*) Have been determined by relevant States to be the subject of a judicial, administrative or arbitration lien or judgement, in which case the funds, other financial assets and economic resources may be used to satisfy that lien or judgement, provided that the lien or judgement was entered prior to the date of the present resolution, is not for the benefit of a person or entity designated by the Committee pursuant to paragraph 13 below, and has been notified by the relevant States to the Committee;

13. *Decides also* that the provisions of paragraphs 9 and 11 above shall apply to the following individuals and, as appropriate, entities, as designated by the Committee:

(*a*) Persons or entities acting in violation of the measures taken by Member States in accordance with paragraph 1 above;

(*b*) Political and military leaders of foreign armed groups operating in the Democratic Republic of the Congo who impede the disarmament and the voluntary repatriation or resettlement of combatants belonging to those groups;

(*c*) Political and military leaders of Congolese militias receiving support from outside the Democratic Republic of the Congo who impede the participation of their combatants in disarmament, demobilization and reintegration processes;

(*d*) Political and military leaders operating in the Democratic Republic of the Congo and recruiting or using children in armed conflicts in violation of applicable international law;

(*e*) Individuals operating in the Democratic Republic of the Congo and committing serious violations of international law involving the targeting of children or women in situations of armed conflict, including killing and maiming, sexual violence, abduction and forced displacement;

14. *Decides further* that, for a further period ending on the date referred to in paragraph 1 above, the measures in paragraphs 9 and 11 above shall continue to apply to individuals and entities already designated pursuant to paragraphs 13 and 15 of resolution 1596 (2005), paragraph 2 of resolution 1649 (2005) and paragraph 13 of resolution 1698 (2006), unless the Committee decides otherwise;

D

15. *Decides* that the Committee shall, from the date of adoption of the present resolution, have the following mandate:

(*a*) To seek from all States, and particularly those in the region, information regarding the actions taken by them to implement effectively the measures imposed by paragraphs 1, 6, 8, 9 and 11 above and to comply with paragraphs 18 and 24 of resolution 1493 (2003), and thereafter to request from them whatever further information it may consider useful, including by providing States with an opportunity, at the request of the Committee, to send representatives to meet with the Committee for more in-depth discussion of relevant issues;

(*b*) To examine, and to take appropriate action on, information concerning alleged violations of the measures imposed by paragraph 1 above and information on alleged arms flows highlighted in the reports of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in the Democratic Republic of the Congo, identifying, where possible, individuals and entities reported to be engaged in such violations, as well as aircraft or other vehicles used;

(*c*) To present regular reports to the Council on its work, with its observations and recommendations, in particular on the ways to strengthen the effectiveness of the measures imposed by paragraph 1 above;

(*d*) To receive notifications in advance from States made under paragraph 5 above, to inform the Mission and the Government of the Democratic Republic of the Congo of every notification received, and to consult with the Government of the Democratic Republic of the

Congo and/or the notifying State, if appropriate, to verify that such shipments are in conformity with the measures set forth in paragraph 1 above, and to decide, if need be, upon any action to be taken;

(*e*) To designate, pursuant to paragraph 13 above, persons and entities as subject to the measures set forth in paragraphs 9 and 11 above, including aircraft and airlines, in the light of paragraphs 6 and 8 above, and regularly to update its list;

(*f*) To call upon all States concerned, and particularly those in the region, to provide the Committee with information regarding the actions taken by them to investigate and prosecute, as appropriate, individuals and entities designated by the Committee pursuant to subparagraph (*e*) above;

(*g*) To consider and decide on requests for the exemptions set out in paragraphs 10 and 12 above;

(*h*) To promulgate guidelines as may be necessary to facilitate the implementation of paragraphs 1, 6, 8, 9 and 11 above;

16. *Calls upon* all States, in particular those in the region, to support the implementation of the arms embargo and to cooperate fully with the Committee in carrying out its mandate;

E

17. *Requests* the Secretary-General to extend, for a period expiring on 31 December 2008, the mandate of the Group of Experts established pursuant to resolution 1771 (2007);

18. *Requests* the Group of Experts to fulfil the following mandate:

(*a*) To examine and analyse information gathered by the Mission in the context of its monitoring mandate and share with the Mission, as appropriate, information that might be of use in the fulfilment of the Mission's monitoring mandate;

(*b*) To gather and analyse all relevant information in the Democratic Republic of the Congo, countries of the region and, as necessary, in other countries, in cooperation with the Governments of those countries, on flows of arms and related materiel, as well as networks operating in violation of the measures imposed by paragraph 1 above;

(*c*) To consider and recommend, where appropriate, ways of improving the capabilities of interested States, in particular those of the region, to ensure that the measures imposed by paragraph 1 above are effectively implemented;

(*d*) To update the Committee on its work, as appropriate, and report to the Council in writing, through the Committee, by 15 August 2008 and again before 15 November 2008, on the implementation of the measures set forth in paragraphs 1, 6, 8, 9 and 11 above, with recommendations in this regard, including information on the sources of financing, such as from natural resources, which are funding the illicit trade in arms;

(*e*) To keep the Committee frequently updated on its activities;

(*f*) To provide the Committee, in its reports with a list, with supporting evidence, of those found to have violated the measures imposed by paragraph 1 above, and those found to have supported them in such activities, for possible future measures by the Council;

(*g*) Within its capabilities and without prejudice to the execution of the other tasks in its mandate, to assist the Committee in the designation of the individuals referred to in of paragraphs 13 (*b*) to (*e*) above, by making known to the Committee without delay any useful information;

19. *Requests* the Mission, within its existing capabilities and without prejudice to the performance of its current mandate, and the Group of Experts to continue to focus their monitoring activities in North and South Kivu and in Ituri;

20. *Requests* the Government of the Democratic Republic of the Congo, other Governments in the region as appropriate, the Mission and the Group of Experts to cooperate intensively, including by exchanging information regarding arms shipments with a view to facilitating the effective implementation of the arms embargo on non-governmental entities and individuals, regarding the illegal trafficking in natural resources, and regarding the activities of individuals and entities designated by the Committee pursuant to paragraph 13 above;

21. *Reiterates its demand*, expressed in paragraph 19 of resolution 1596 (2005), that all parties and all States, particularly those in the region, cooperate fully with the work of the Group of Experts, and that they ensure:

(*a*) The safety of its members;

(*b*) Unhindered and immediate access, in particular to persons, documents and sites that the Group of Experts deems relevant to the execution of its mandate;

F

22. *Decides* that, when appropriate and no later than 31 December 2008, it shall review the measures set forth in the present resolution, with a view to adjusting them, as appropriate, in the light of consolidation of the security situation in the Democratic Republic of the Congo, in particular progress in security sector reform, including the integration of the armed forces and the reform of the national police, and in disarming, demobilizing, repatriating, resettling and reintegrating, as appropriate, Congolese and foreign armed groups;

23. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 5861st meeting.

Decision

In a letter dated 30 May 2008, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Africa.[233]

THE SITUATION IN THE CENTRAL AFRICAN REPUBLIC[234]

Decisions

In a letter dated 31 August 2007,[235] the President of the Security Council informed the Secretary-General that his letter dated 27 August 2007[236] had been brought to the attention of the members of the Council and that they took note of the intentions and information contained therein.

On 3 December 2007, the President of the Security Council addressed the following letter to the Secretary-General:[237]

> "I have the honour to inform you that your letter dated 28 November 2007 concerning your recommendation that the mandate of the United Nations Peacebuilding Support Office

[233] The letter, which was issued as a Security Council document under the symbol S/2008/347, has been reproduced on page 55 of the present volume. The mission took place from 31 May to 10 June 2008 (see S/2008/460).

[234] Resolutions or decisions on this question were first adopted by the Security Council in 1997.

[235] The letter, which was issued as a Security Council document under the symbol S/2007/523, has been reproduced on page 43 of the present volume.

[236] S/2007/522.

[237] S/2007/703.

in the Central African Republic be extended for an additional year, from 1 January to 31 December 2008[238] has been brought to the attention of the members of the Security Council. They take note of the information and recommendation contained in your letter."

On 30 May 2008, the President of the Security Council addressed the following letter to the Chairperson of the Peacebuilding Commission:[239]

"I have the honour to refer to paragraph 12 of Security Council resolution 1645 (2005).

"In a letter dated 6 March 2008 to the Chairperson of the Peacebuilding Commission, which was forwarded to the Council on 10 April 2008, the Minister for Foreign Affairs, Regional Integration and Francophonie of the Central African Republic requested that the Central African Republic be placed on the agenda of the Commission. The Council supports this request and invites the Commission to provide advice and recommendations on the situation in the Central African Republic.

"Following prior briefings and consultations on the situation in the country, the Council would welcome, in particular, the advice and recommendations of the Commission in the following areas:

"(*a*) Establishment and conduct of an inclusive political dialogue;

"(*b*) Action by the national authorities and support from the international community to develop an effective, accountable and sustainable national security sector system;

"(*c*) Restoration of the rule of law, including respect for human rights, and good governance in all regions of the country.

"The Council considers that the Commission could play a critical role in enhancing coordination and coherence within the United Nations system and among the wider international community in supporting and consolidating the peacebuilding efforts of the Central African Republic."

THE SITUATION BETWEEN ERITREA AND ETHIOPIA[240]

Decisions

At its 5778th meeting, on 13 November 2007, the Security Council considered the item entitled:

"The situation between Eritrea and Ethiopia

"Report of the Secretary-General on Ethiopia and Eritrea (S/2007/645)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[241]

"The Security Council stresses the importance of the commitment of both Ethiopia and Eritrea to lay the foundation for sustainable peace in the region and, aware of the responsibilities of the United Nations under the Agreement on Cessation of Hostilities of

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[238] S/2007/702.

[239] S/2008/383.

[240] Resolutions or decisions on this question were first adopted by the Security Council in 1998.

[241] S/PRST/2007/43.

18 June 2000 [242] and the Peace Agreement of 12 December 2000 [243] ("the Algiers Agreements"), remains determined to encourage and assist both countries in attaining this objective.

"The Council underscores the acceptance without preconditions by both Ethiopia and Eritrea of the final and binding delimitation decision of the Eritrea-Ethiopia Boundary Commission.[244]

"The Council urges the parties to take concrete steps to implement immediately and without preconditions the delimitation decision of the Boundary Commission, taking into account the commitments of the parties regarding the Temporary Security Zone, as expressed at the meeting of the Commission held on 6 and 7 September 2007, and to comply fully with the Algiers Agreements and prior resolutions of the Council and statements by its President, including on the issue of demarcation.

"The Council calls upon the parties to refrain from using force and to settle their disagreements by peaceful means, to normalize their relations, to promote stability between them and to lay the foundation for sustainable peace in the region.

"The Council confirms the primary responsibility of the parties to resolve the border issue and their other differences, and expresses its readiness to endorse the commitments made by both parties with respect to demarcation and normalization.

"The Council strongly supports the Secretary-General in any efforts to facilitate these processes.

"The Council commends and fully supports the continuing operations of the United Nations Mission in Ethiopia and Eritrea, underscores the importance for the parties to provide the Mission with the access, assistance, support and protection required for the implementation of its mandate and welcomes the ongoing efforts of the Secretary-General towards the earliest appointment of a Special Representative."

At its 5829th meeting, on 30 January 2008, the Council considered the item entitled:

"The situation between Eritrea and Ethiopia

"Report of the Secretary-General on Ethiopia and Eritrea (S/2008/40 and Corr.1)".

Resolution 1798 (2008)
of 30 January 2008

The Security Council,

Reaffirming all its previous resolutions and the statements by its President pertaining to the situation between Ethiopia and Eritrea (hereinafter referred to as "the parties") and the requirements contained therein, including in particular resolutions 1320 (2000) of 15 September 2000, 1430 (2002) of 14 August 2002, 1466 (2003) of 14 March 2003, 1640 (2005) of 23 November 2005, 1681 (2006) of 31 May 2006, 1710 (2006) of 29 September 2006, 1741 (2007) of 30 January 2007 and 1767 (2007) of 30 July 2007,

Stressing once again its unwavering commitment to the peace process and to the full and expeditious implementation of the Agreement on Cessation of Hostilities of 18 June 2000[242] and the Peace Agreement of 12 December 2000[243] ("the Algiers Agreements") as a basis for peaceful and cooperative relations between the parties, and recalling article 4, paragraph 15, of the Peace

[242] S/2000/601, annex.

[243] S/2000/1183, annex.

[244] S/2002/423, annex.

Agreement, in which the parties agreed that the delimitation and demarcation determinations of the Eritrea-Ethiopia Boundary Commission shall be final and binding,

Expressing its support for the efforts of the Boundary Commission, welcoming once again the acceptance by the parties of the delimitation decision of the Commission of 13 April 2002,[244] recalling that it acknowledged the statement by the Commission of 27 November 2006,[245] and taking note of the twenty-sixth report of the Commission annexed to the report of the Secretary-General of 23 January 2008,[246]

Stressing that the physical demarcation of the border between Eritrea and Ethiopia would support a comprehensive and lasting settlement of the dispute between the parties and the normalization of their relations,

Expressing its deep concern about the continuing dispute between Ethiopia and Eritrea, and over the continued tense and potentially unstable security situation in the Temporary Security Zone and the adjacent areas, and stressing that it is the primary responsibility of the parties to end this situation by fulfilling expeditiously their obligations under the Algiers Agreements,

Reaffirming once again the integrity of the Temporary Security Zone as provided for in paragraphs 12 to 14 of the Agreement on Cessation of Hostilities, and recalling the objectives of its establishment, in particular to create conditions conducive to a comprehensive and lasting settlement of the conflict, and the commitment of the parties to respect the Temporary Security Zone,

Underlining that the Security Council remains committed to its role, in particular helping to ensure that the parties respect the commitments they made in the Agreement on Cessation of Hostilities and the Peace Agreement, to which the United Nations was one of the witnesses,

Commending the efforts made by the United Nations Mission in Ethiopia and Eritrea and its military and civilian personnel to accomplish its duties, despite the difficult circumstances,

Having considered the report of the Secretary-General,[246]

1. *Decides* to extend the mandate of the United Nations Mission in Ethiopia and Eritrea for a period of six months, until 31 July 2008;

2. *Reiterates its call* for the parties to show maximum restraint and refrain from any threat or use of force against each other, avoid provocative military activities and put an end to the exchange of hostile statements;

3. *Reiterates its call upon* Eritrea and Ethiopia to maintain their full commitment to the Agreement on Cessation of Hostilities of 18 June 2000,[242] and to de-escalate the situation, including by returning to the 16 December 2004 levels of deployment;

4. *Underlines* that Eritrea and Ethiopia bear the primary responsibility for achieving a comprehensive and lasting settlement of the border dispute and normalizing their relations, demands that they take immediately concrete steps in order to complete the process launched by the Peace Agreement of 12 December 2000[243] by enabling physical demarcation of the border, and urges them to normalize their relations;

5. *Reiterates its demands* on Eritrea to withdraw immediately all troops and heavy military equipment from the Temporary Security Zone, to provide the Mission with the access, assistance, support and protection required for the performance of its duties and to remove immediately and without preconditions the restrictions on the Mission;

6. *Reiterates its call upon* Ethiopia to reduce the number of military forces in the areas adjacent to the Temporary Security Zone;

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[245] S/2006/992, enclosure.

[246] S/2008/40 and Corr.1.

7. *Notes with grave concern* the Mission's critical fuel levels, demands that the Government of Eritrea resume immediately fuel shipments to the Mission or allow the Mission to import fuel without restrictions, and requests the Secretary-General to keep the Security Council informed of developments;

8. *Reiterates its call upon* both parties to fully cooperate with the Mission with a view to urgently reactivating the work of the Military Coordination Commission, which remains a unique forum to discuss pressing military and security issues;

9. *Strongly supports* the ongoing efforts of the Secretary-General and the international community to engage with Eritrea and Ethiopia to help them to normalize their relations, to promote stability between the parties and to lay the foundation for a comprehensive and lasting settlement of the dispute, and urges the parties to accept the Secretary-General's good offices;

10. *Welcomes* the ongoing efforts of the Secretary-General towards the earliest appointment of a Special Representative;

11. *Expresses its willingness* to reconsider any changes to the mandate of the Mission in the light of subsequent developments in the implementation of the Algiers Agreements;[242, 243]

12. *Calls upon* Member States to provide contributions to the trust fund, established pursuant to resolution 1177 (1998) of 26 June 1998 and referred to in article 4, paragraph 17, of the Peace Agreement;

13. *Expresses its deep appreciation* for the contribution and dedication of the troop-contributing countries to the work of the Mission;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5829th meeting.

Decisions

At its 5838th meeting, on 15 February 2008, the Security Council considered the item entitled "The situation between Eritrea and Ethiopia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[247]

> "The Security Council recalls that on 30 January 2008 it adopted resolution 1798 (2008) on the United Nations Mission in Ethiopia and Eritrea. The Council is following with the utmost concern the situation confronting the Mission. It expresses its full support for the efforts of the Secretary-General to address this problem.
>
> "The Council notes with great concern that, by maintaining restrictions on the Mission despite the numerous demands of the Council and by refusing to reinstate fuel deliveries to the Mission, the Government of Eritrea has created a situation in which a temporary relocation of personnel and equipment from Eritrea has been rendered inevitable. The Council also expresses deep concern about the impediments and logistical constraints put on the Mission in its attempts to organize this temporary relocation. The Council condemns such steps taken by Eritrea.
>
> "The Council strongly condemns the lack of cooperation from the Government of Eritrea, which not only gravely contravenes Council resolutions and the Agreement on Cessation of Hostilities of 18 June 2000[242] but also fails to comply with Eritrea's general obligation to assist forces that have been stationed with its consent. The Council holds Eritrea responsible for the safety and security of the Mission and its personnel.

[247] S/PRST/2008/7.

"The Council demands that the Government of Eritrea resume full cooperation with the Mission, including by ending all its restrictions on the Mission, and abide by all its obligations as a State Member of the United Nations.

"The Council expresses its determination to closely monitor the situation and to consider further appropriate steps for the safety and protection of the Mission and its personnel."

At its 5883rd meeting, on 30 April 2008, the Council considered the item entitled:

"The situation between Eritrea and Ethiopia

"Special report of the Secretary-General on the United Nations Mission in Ethiopia and Eritrea (S/2008/226)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[248]

"The Security Council notes that the continuation of Eritrea's obstructions towards the United Nations Mission in Ethiopia and Eritrea has reached a level such as to undermine the basis of the Mission's mandate and has compelled the Mission to temporarily relocate. The Council recalls its previous condemnation of Eritrea's lack of cooperation.

"The Council notes the underlying fundamental issues and stands ready to assist the parties to overcome the current stalemate, taking into account the interests and concerns of both parties.

"The Council will, in the light of consultations with the parties, decide on the terms of a future United Nations engagement and on the future of the Mission.

"The Council stresses, in accordance with its repeated statements, that the primary responsibility for achieving a comprehensive and lasting settlement of the border dispute and normalizing their relations rests with the parties themselves.

"The Council urges both sides to show maximum restraint and to refrain from any threat or use of force against each other and calls upon the parties to address forthwith the unresolved issues in accordance with the commitments made in the Agreement on Cessation of Hostilities of 18 June 2000[242] and the Peace Agreement of 12 December 2000[243] ("the Algiers Agreements")."

On 30 June 2008, the President of the Security Council addressed the following letter to the Secretary-General:[249]

"I have the honour to inform you that your letter dated 5 June 2008 concerning your proposal that the troops of the United Nations Mission in Ethiopia and Eritrea temporarily relocated from Eritrea to their home countries now be considered as repatriated[250] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

At its 5946th meeting, on 30 July 2008, the Council considered the item entitled:

"The situation between Eritrea and Ethiopia

"Special report of the Secretary-General on the United Nations Mission in Ethiopia and Eritrea (S/2008/226)".

[248] S/PRST/2008/12.

[249] S/2008/427.

[250] S/2008/368.

Resolution 1827 (2008) of 30 July 2008

The Security Council,

Reaffirming all its previous resolutions and the statements by its President pertaining to the situation between Ethiopia and Eritrea,

Stressing once again its unwavering commitment to the peace process and to the full and expeditious implementation of the Agreement on Cessation of Hostilities of 18 June 2000[242] and the Peace Agreement of 12 December 2000[243] (hereinafter referred to as "the Algiers Agreements") as a basis for peaceful and cooperative relations between Ethiopia and Eritrea,

Considering that Ethiopia and Eritrea bear a shared responsibility in the implementation of the Algiers Agreements, in which they agreed that the delimitation and demarcation determinations of the Eritrea-Ethiopia Boundary Commission shall be final and binding and that their forces shall respect the integrity of the Temporary Security Zone,

Reaffirming that the primary responsibility for achieving a comprehensive and lasting settlement of the border dispute and normalizing their relations rests with Ethiopia and Eritrea, and that the Security Council stands ready to assist them in addressing the underlying fundamental issues, taking into account the interests and concerns of both countries,

Regretting that Eritrea's obstructions towards the United Nations Mission in Ethiopia and Eritrea reached a level so as to undermine the basis of the Mission's mandate and compelled the Mission to temporarily relocate from Eritrea, stressing that this relocation was without prejudice to the Algiers Agreements and to the integrity of the Temporary Security Zone, and recalling the Council's previous condemnation of Eritrea's lack of cooperation,

Commending the efforts made by the Mission and its military and civilian personnel to accomplish its duties, despite the difficult circumstances, and expressing its deep appreciation for the contribution and dedication of the troop-contributing countries to the work of the Mission,

Having considered the special report of the Secretary-General of 7 April 2008,[251] the letters from Ethiopia and Eritrea, dated 17 and 18 June 2008 respectively, in response to the letters dated 10 June 2008 from the President of the Security Council, and the letter dated 28 July 2008 from the Secretary-General[252] in response to the letter dated 3 July 2008 from the President of the Security Council,

1. *Decides* to terminate the mandate of the United Nations Mission in Ethiopia and Eritrea effective on 31 July 2008, emphasizes that this termination is without prejudice to the obligations of Ethiopia and Eritrea under the Algiers Agreements,[242,243] and calls upon both countries to cooperate fully with the United Nations, including in the process of liquidation of the Mission;

2. *Demands* that Ethiopia and Eritrea comply fully with their obligations under the Algiers Agreements, show maximum restraint and refrain from any threat or use of force against each other, and avoid provocative military activities;

3. *Strongly supports* the ongoing efforts of the Secretary-General and the international community to engage with Ethiopia and Eritrea to help them to implement the Algiers Agreements, to normalize their relations, to promote stability between them and to lay the foundation for a comprehensive and lasting peace between them, and again urges Ethiopia and Eritrea to accept the Secretary-General's good offices;

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[251] S/2008/226.

[252] S/2008/496.

4. *Requests* the Secretary-General to further explore with Ethiopia and Eritrea the possibility of a United Nations presence in Ethiopia and Eritrea in the context of the maintenance of international peace and security;

5. *Also requests* the Secretary-General to keep the Security Council regularly informed of the situation between Ethiopia and Eritrea and to make recommendations as appropriate;

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5946th meeting.

CHILDREN AND ARMED CONFLICT[253]

Decisions

At its 5834th meeting, on 12 February 2008, the Security Council decided to invite the representatives of Afghanistan, Argentina, Australia, Austria, Bangladesh, Benin, Brazil, Canada, Chile, Colombia, Côte d'Ivoire, Egypt, El Salvador, Georgia, Germany, Guatemala, Guinea, Iceland, Iraq, Israel, Japan, Kazakhstan, Liechtenstein, Mexico, Myanmar, Nepal, the Netherlands, Nicaragua, Nigeria, Peru, the Philippines, Qatar, the Republic of Korea, Rwanda, Slovenia, Sri Lanka, Switzerland, Thailand, Uganda, the United Republic of Tanzania and Uruguay to participate, without vote, in the discussion of the item entitled:

"Children and armed conflict

"Report of the Secretary-General on children and armed conflict (S/2007/757)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Ms. Radhika Coomaraswamy, Special Representative of the Secretary-General for Children and Armed Conflict, and Ms. Ann Veneman, Executive Director of the United Nations Children's Fund.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Jo Becker, representative of the Watchlist on Children and Armed Conflict.

At the same meeting, the Council decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 7 February 2008 to the President of the Council,[254] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[255]

> "The Security Council takes note with appreciation of the seventh report of the Secretary-General on children and armed conflict,[256] and the positive developments, as well as outstanding challenges in the implementation of its resolution 1612 (2005) reflected therein.
>
> "The Council, reiterating its primary responsibility for the maintenance of international peace and security, reaffirms its commitment to address the widespread impact of armed

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[253] Resolutions or decisions on this question were first adopted by the Security Council in 1998.

[254] Document S/2008/88, incorporated in the record of the 5834th meeting.

[255] S/PRST/2008/6.

[256] S/2007/757.

conflict on children, its determination to ensure respect for and the implementation of resolution 1612 (2005) and all of its previous resolutions on children and armed conflict, as well as respect for other international norms and standards for the protection of children affected by armed conflict.

"The Council stresses in this regard the need to adopt a broad strategy of conflict prevention which addresses the root causes of armed conflict in a comprehensive manner in order to enhance the protection of children on a long-term basis, including by promoting sustainable development, poverty eradication, national reconciliation, good governance, democracy, the rule of law and respect for and protection of human rights.

"The Council reiterates the primary responsibility of national Governments in providing effective protection and relief to all children affected by armed conflict, and encourages further cooperation and coordination between Member States, the United Nations system and the international community, in a spirit of partnership.

"The Council reiterates the importance of the full, safe and unhindered access of humanitarian personnel and goods and the delivery of humanitarian assistance to all children affected by armed conflict, and stresses the importance for all, within the framework of humanitarian assistance, of upholding and respecting the humanitarian principles of humanity, neutrality, impartiality and independence.

"The Council calls for the full implementation of the monitoring and reporting mechanism on children and armed conflict as called for in paragraph 3 of resolution 1612 (2005) in all situations of armed conflict listed in the annexes to the report of the Secretary-General.

"In this regard the Council reiterates that the mechanism should continue to collect and provide timely, objective, accurate and reliable information on violations and abuses committed against children affected by armed conflict and to operate with the participation of and in cooperation with national Governments and relevant United Nations and civil society actors, including at the country level.

"The Council commends the work carried out by the Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Radhika Coomaraswamy, including her field activities in situations of armed conflict.

"The Council also commends the work carried out by the United Nations Children's Fund and the child protection advisers of peacekeeping operations and political missions in cooperation with other relevant United Nations entities.

"The Council welcomes the sustained activity of its Working Group on Children and Armed Conflict, as outlined, inter alia, in the latest report of its Chairman,[257] and invites it to continue adopting conclusions and proposing effective recommendations for consideration and, where appropriate, implementation by the Council, including through mandates of United Nations peacekeeping operations and political missions.

"The Council will continue to consider including or enhancing the presence of child protection advisers in the mandates of all relevant United Nations peacekeeping operations and political missions.

"The Council strongly emphasizes the need to end impunity for violations and abuses perpetrated against children in armed conflict, and in this regard welcomes the fact that several individuals who are alleged to have committed such crimes have been brought to justice by national, international and 'mixed' criminal courts and tribunals.

[257] See S/2007/428.

"The Council acknowledges that the implementation of resolution 1612 (2005) has already generated progress, resulting in the release and reintegration of children in their families and communities, and in a more systematic dialogue between the United Nations country task forces on monitoring and reporting and parties to armed conflict on the implementation of time-bound action plans.

"Nonetheless, the Council strongly condemns the continuing recruitment and use of children in armed conflict in violation of applicable international law, the killing and maiming of children, rape and other sexual violence, abductions, the denial of humanitarian access to children and attacks against schools and hospitals by parties to armed conflict.

"The Council is concerned by the widespread and systematic use of rape and other forms of sexual violence against children, in particular girls, in situations of armed conflict, and calls upon all parties to armed conflict to take special measures to protect girls and boys from sexual and gender-based violence, particularly rape, in situations of armed conflict.

"The Council expresses its concern that civilians, particularly children, continue to account for the vast majority of victims of acts of violence committed by parties to armed conflict, including killing and maiming as a result of deliberate targeting, and indiscriminate and excessive use of force in violation of applicable international law. The Council condemns these acts and demands that those parties immediately put an end to such practices.

"The Council is gravely concerned by the persistent disregard of its resolutions on children and armed conflict by parties to armed conflict identified in the reports of the monitoring and reporting mechanism, including parties to whom precise, immediate and unequivocal requests have been addressed. Recalling the statement made by its President on 28 November 2006,[258] the Council reaffirms its intention to make use of all the tools provided in resolution 1612 (2005).

"The Council reiterates its call upon the parties to armed conflict listed in the annexes to the report of the Secretary-General that have not already done so to prepare and implement, without further delay, concrete time-bound action plans to halt the recruitment and use of children in violation of applicable international law and to address all violations and abuses against children in close cooperation with the Special Representative of the Secretary-General, as well as with the United Nations Children's Fund and the United Nations country task forces on monitoring and reporting.

"The Council expresses concern over the casualties inflicted on children in armed conflict by the indiscriminate use of landmines and cluster munitions, and in this regard calls upon all parties to armed conflict to desist from such practice.

"In order to further strengthen the comprehensive framework of the protection of children in armed conflict, considering the changing nature of armed conflict and the issues raised by the Secretary-General in his report, the Council expresses its readiness to review the relevant provisions of its resolutions on children and armed conflict, building on the provisions of resolution 1612 (2005), with a view to further increasing the efficiency of its actions.

"The Council recognizes that a stronger focus is required on the reintegration and rehabilitation of children associated with armed forces and armed groups, and in this regard invites all parties concerned, including Member States, regional organizations, the Secretariat and other relevant United Nations entities, including the United Nations Children's Fund, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization, the United Nations Development

[258] S/PRST/2006/48

Programme, the Office of the United Nations High Commissioner for Refugees, the Office of the United Nations High Commissioner for Human Rights, the International Labour Organization and the United Nations Educational, Scientific and Cultural Organization, international financial institutions, including the World Bank, as well as civil society, to enhance their exchange of information about programmes and best practices, bearing in mind the relevant provisions of international law, Council resolutions on children and armed conflict, as well as the Paris principles to protect children from unlawful recruitment by armed forces or groups,[259] and to ensure that adequate resources and funding are available to support national strategies or action plans in the area of child protection and welfare, and community-based programmes, with a view to ensuring the long-term sustainability and success of their programmatic response to the release, rehabilitation and reintegration of all children associated with armed forces and armed groups.

"The Council requests the Secretary-General to submit his next report on the implementation of its resolutions on children and armed conflict by May 2009."

At its 5936th meeting, on 17 July 2008, the Council decided to invite the representatives of Afghanistan, Australia, Austria, Bangladesh, Benin, Canada, Colombia, Côte d'Ivoire, Egypt, Germany, Ghana, Ireland, Israel, Japan, Liberia, Liechtenstein, Malawi, Mexico, Myanmar, Nepal, New Zealand, Nicaragua, Nigeria, Norway, Peru, the Philippines, the Republic of Korea, Rwanda, Sri Lanka, Tonga, Uganda, the United Republic of Tanzania and Uruguay to participate, without vote, in the discussion of the item entitled:

"Children and armed conflict

"Letter dated 7 July 2008 from the Permanent Representative of Viet Nam to the United Nations addressed to the Secretary-General (S/2008/442)

"Letter dated 11 July 2008 from the Permanent Representative of France to the United Nations addressed to the President of the Security Council (S/2008/455)".[260, 261]

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations, Ms. Radhika Coomaraswamy, Special Representative of the Secretary-General for Children and Armed Conflict, and Ms. Ann Veneman, Executive Director of the United Nations Children's Fund.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Kathleen Hunt, Chairperson of the Steering Committee of the Watchlist on Children and Armed Conflict.

At the same meeting, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mrs. Lila Hanitra Ratsifandrihamanana, Permanent Observer of the African Union to the United Nations, in response to the request dated 17 July 2008 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Council.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[262]

"The Security Council reiterates its commitment to address the widespread impact of armed conflict on children and its determination to ensure respect for and implementation of

[259] Principles and Guidelines on Children Associated with Armed Forces or Armed Groups (available from www.unicef.org).

[260] San Marino submitted a request to be invited to participate, which it subsequently withdrew.

[261] Somalia did not submit a request to be invited to participate; its listing in S/PV.5936 was a technical error.

[262] S/PRST/2008/28.

its resolution 1612 (2005) and all its previous resolutions on children and armed conflict, and the statements by its President of 24 July[253] and 28 November 2006[254] and 12 February 2008,[255] which provide a comprehensive framework for addressing the protection of children affected by armed conflict, as well as the provisions on children contained in other resolutions, including resolutions 1325 (2000), 1674 (2006) and 1820 (2008).

"The Council reiterates its strong and equal condemnation of the continuing recruitment and use of children in armed conflict in violation of applicable international law, killing and maiming of children, rape and other sexual violence, abductions, denial of humanitarian access to children and attacks against schools and hospitals by parties to armed conflict, while acknowledging that the implementation of resolution 1612 (2005) has already generated progress, resulting in the release and reintegration of children into their families and communities, through, inter alia, a more systematic dialogue between the United Nations country task forces on monitoring and reporting and parties to armed conflict on the implementation of time-bound action plans.

"The Council reaffirms the need for States parties to comply with their obligations under the Convention on the Rights of the Child[264] and the Optional Protocols thereto[265] for armed groups distinct from the State to refrain from recruiting or using children in hostilities, and urges States that have not yet done so to consider ratifying or acceding to those instruments.

"The Council welcomes the ongoing implementation of the monitoring and reporting mechanism on children and armed conflict, in particular the efforts that have made possible the implementation of the mechanism in all situations listed in the annexes to the latest report of the Secretary-General,[266] and invites the Secretary-General, where applicable, to bring the mechanism to its full efficiency, in accordance with resolution 1612 (2005).

"The Council welcomes the sustained activity of its Working Group on Children and Armed Conflict, as outlined, inter alia, in the latest report of its Chairman,[266] and as the monitoring and reporting mechanism is being implemented in a growing number of situations of armed conflict, requests the Secretary-General to provide additional administrative support in order for the Working Group to continue to fully carry out its mandate in an effective manner.

"The Council invites the Working Group to continue adopting conclusions providing clear guidance to the parties to armed conflict and relevant international actors on the concrete steps that need to be taken in order to respect their obligations under international law, in particular Council resolutions on children and armed conflict, and proposing to the Council effective recommendations based on timely, objective, accurate and reliable information, with a view to promoting the protection of children affected by armed conflict, including through appropriate mandates of United Nations peacekeeping operations and political missions. The Council welcomes the efforts of the Working Group to improve its working methods and encourages it to continue to do so with a view to further improving its transparency and efficiency.

"The Council commends the work carried out by the Special Representative of the Secretary-General for Children and Armed Conflict, Ms. Radhika Coomaraswamy, and underlines the importance of her country visits in facilitating better coordination among United Nations partners at the field level, promoting collaboration between the United Nations and Governments, enhancing dialogue with parties to conflicts in implementing applicable international law, including their obligations under resolution 1612 (2005), and thereby securing concrete child protection commitments.

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[253] S/PRST/2006/33.

[254] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[265] Ibid., vols. 2171 and 2173, No. 27531.

[266] See S/2008/455.

"The Council also commends the work carried out by the United Nations Children's Fund, as well as other relevant United Nations agencies, funds and programmes, within their respective mandates, the child protection advisers of peacekeeping operations and political missions in cooperation with national Governments and relevant civil society actors, in enhancing the activities of the United Nations country task forces on monitoring and reporting and promoting child protection at the field level, including through implementation of resolution 1612 (2005) and following up on the relevant conclusions of the Working Group.

"The Council recognizes the important role of education in armed conflict areas as a means to achieve the goal of halting and preventing recruitment and re-recruitment of children and calls upon all parties concerned to continue to ensure that all children associated with armed forces and groups, as well as issues related to children, are systematically included in every disarmament, demobilization and reintegration process, with a particular emphasis on education.

"The Council reiterates the need for stronger focus by all parties concerned, including Governments and the donor community, on the long-term effects of armed conflict on children and the impediments to their full rehabilitation and reintegration into their families and communities, by, inter alia, addressing the need for providing appropriate health care, enhancing their exchange of information about programmes and best practices, and ensuring the availability of adequate resources, funding and technical assistance to support national strategies or action plans in the area of child protection and welfare, and community-based programmes, bearing in mind the Paris principles to protect children from unlawful recruitment by armed forces or groups,[259] with a view to ensuring the long-term sustainability and success of their programmatic response to the release, rehabilitation and reintegration of all children associated with armed forces and armed groups.

"The Council looks forward to the next report of the Secretary-General on children and armed conflict, and reiterates its readiness to continue to review the relevant provisions of its resolutions on children and armed conflict, building on the provisions of resolution 1612 (2005), with a view to further enhancing the comprehensive framework of the protection of children in armed conflict."

THE SITUATION IN GUINEA-BISSAU[267]

Decisions

At its 5762nd meeting, on 19 October 2007, the Security Council decided to invite the representative of Guinea-Bissau to participate, without vote, in the discussion of the item entitled:

"The situation in Guinea-Bissau

"Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country (S/2007/576)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[268]

"The Security Council, recalling the previous statements by its President on Guinea-Bissau, and having considered the latest report of the Secretary-General on

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[267] Resolutions or decisions on this question were first adopted by the Security Council in 1998.

[268] S/PRST/2007/38.

developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in Guinea-Bissau,[269] reaffirms its support for the continuing efforts to consolidate peace in that country.

"The Council notes with deep concern the threat posed by drug and human trafficking, which can undermine the important gains made with respect to the rule of law and democratic and transparent governance. The Council further notes that the danger posed by drug trafficking in Guinea-Bissau could have negative implications for the region as well as other regions.

"The Council is especially concerned over the security and safety of Bissau-Guinean officials involved in combating drug trafficking and organized crime. The Council therefore calls upon the Government of Guinea-Bissau, with appropriate support from the international community, to take concerted action to safeguard the safety and security of those officials who are involved in combating these activities.

"The Council welcomes the decision by the Economic Community of West African States to convene later this year a regional conference on combating drug trafficking aimed at developing a regional plan of action to deal with this challenge. The Council calls for urgent consideration of how the United Nations system might improve its support for Guinea-Bissau's fight against international drug trafficking and organized crime. The Council recognizes the importance of containing and reversing the threat of drug trafficking to the peace consolidation process in Guinea-Bissau. The Council further recognizes, in particular, the important role of the United Nations Office on Drugs and Crime. The Council requests the Secretary-General to report on this matter as soon as practicable. The Council further welcomes the initiative to hold an international conference in Lisbon on drug trafficking in Guinea-Bissau in December 2007.

"The Council also expresses its concern about the fragility of the democratization process in Guinea-Bissau as well as persistent economic and social crisis.

"The Council welcomes the scheduled convening of legislative elections in 2008 and calls upon all segments of Bissau-Guinean society to ensure that the elections take place in a peaceful and orderly fashion. The Council further appeals to the international community to provide the necessary logistical and technical support to ensure the effective and timely organization of the polls.

"The Council further welcomes the improved dialogue between the Government of Guinea-Bissau and the Bretton Woods institutions and urges the Government to continue to implement its commitments in the areas of fiscal responsibility, reforms of the justice sector and good governance. The Council also welcomes the assistance provided to Guinea-Bissau by bilateral and multilateral partners, in particular the United Nations Development Programme, the European Union and the World Bank, and encourages their enhanced constructive involvement in the country.

"The Council encourages the authorities of Guinea-Bissau to carry out their commitment concerning security sector reform. The Council also takes note of the announcement made by the European Union and the Economic Community of West African States to make resources available in support of security sector reform.

"The Council recognizes the importance of a holistic approach in resolving the complex and multidimensional situation facing Guinea-Bissau and requests the Secretary-General to present proposals on how best the United Nations could provide effective assistance in an integrated and holistic manner to national efforts in order to contribute to the sustainable stabilization of Guinea-Bissau.

[269] S/2007/576.

"The Council takes note of the letter dated 11 July 2007 from the Prime Minister of Guinea-Bissau requesting that Guinea-Bissau be placed on the agenda of the Peacebuilding Commission and expresses its intention to consider the request as a matter of priority.

"The Council reaffirms that peace and stability in Guinea-Bissau are critical for peace and security in the West African subregion. The Council recognizes the importance of the regional dimension in the resolution of the problems faced by Guinea-Bissau and, in this regard, welcomes the role being played by the African Union, the Economic Community of West African States and the Community of Portuguese-speaking Countries in the peacebuilding process in Guinea-Bissau.

"The Council recognizes and commends the important role played by the Representative of the Secretary-General for Guinea-Bissau and the staff of the United Nations Peacebuilding Support Office in Guinea-Bissau, as well as by the United Nations country team, towards helping to consolidate peace, democracy and the rule of law, and expresses its appreciation for their activities.

"The Council will keep the situation in Guinea-Bissau under active review."

On 3 December 2007, the President of the Security Council addressed the following letter to the Secretary-General:[270]

"I have the honour to inform you that your letter dated 28 November 2007 concerning your recommendation that the mandate of the United Nations Peacebuilding Support Office in Guinea-Bissau be extended for an additional year, until 31 December 2008,[271] has been brought to the attention of the members of the Security Council. They take note of the information and recommendation contained in your letter."

On 11 December 2007, the President of the Security Council addressed the following letter to the Chairperson of the Peacebuilding Commission:[272]

"I have the honour to refer to paragraph 12 of Security Council resolution 1645 (2005) and the statement by the President of the Council of 19 October 2007.[268]

"In a letter dated 11 July 2007 to the Secretary-General, which was forwarded to the Council on 26 July 2007, the Prime Minister of Guinea-Bissau requested that Guinea-Bissau be placed on the agenda of the Peacebuilding Commission. The Council supports this request and invites the Commission to provide advice on the situation in Guinea-Bissau.

"The Council considers that the advice of the Commission would be particularly useful in the following areas:

"(*a*) Governmental capacity to institute effective oversight and management of national finances, and comprehensive public sector reform, including effective anti-corruption policies and programmes;

"(*b*) Action by the national Government and the international community to develop effective, accountable and sustainable security systems and to strengthen the independence of the judiciary and the rule of law, taking account, in particular, of the dangers posed by drug trafficking and organized crime;

"(*c*) Ongoing development of democratic accountability and preparations for elections in 2008.

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[270] S/2007/701.

[271] S/2007/700.

[272] S/2007/744.

"The Council believes that the above-mentioned priorities would be among the areas that would benefit most from the expert advice of the Commission as a complement to the Council's ongoing attention to Guinea-Bissau. The Council would welcome the initial advice of the Commission on the above priorities within 90 days."

In a letter dated 21 December 2007,[273] the President of the Security Council informed the Secretary-General that his letter dated 28 November 2007[274] had been brought to the attention of the members of the Council and that they concurred with his recommendation and also took note of the intention expressed therein.

At its 5860th meeting, on 26 March 2008, the Council decided to invite the representative of Guinea-Bissau to participate, without vote, in the discussion of the item entitled:

"The situation in Guinea-Bissau

"Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country (S/2008/181)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Shola Omoregie, Representative of the Secretary-General for Guinea-Bissau and Head of the United Nations Peacebuilding Support Office in Guinea-Bissau.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mrs. Maria Luiza Ribeiro Viotti, Chairperson of the Guinea-Bissau configuration of the Peacebuilding Commission and Permanent Representative of Brazil to the United Nations.

At its 5925th meeting, on 25 June 2008, the Council decided to invite the representative of Guinea-Bissau to participate, without vote, in the discussion of the item entitled:

"The situation in Guinea-Bissau

"Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in that country (S/2008/395)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Shola Omoregie, Representative of the Secretary-General for Guinea-Bissau and Head of the United Nations Peacebuilding Support Office in Guinea-Bissau, and Mr. Antonio Maria Costa, Executive Director of the United Nations Office on Drugs and Crime and Director-General of the United Nations Office at Vienna.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mrs. Maria Luiza Ribeiro Viotti, Chairperson of the Guinea-Bissau configuration of the Peacebuilding Commission and Permanent Representative of Brazil to the United Nations.

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[273] The letter, which was issued as a Security Council document under the symbol S/2007/754, has been reproduced on page 37 of the present volume.

[274] S/2007/753.

PROTECTION OF CIVILIANS IN ARMED CONFLICT[275]

Decisions

At its 5781st meeting, on 20 November 2007, the Security Council decided to invite the representatives of Angola, Argentina, Australia, Austria, Canada, Colombia, Guatemala, Iceland, Israel, Japan, Liechtenstein, Mexico, Nepal, New Zealand, Nigeria, Norway, Portugal, Senegal, Switzerland and Viet Nam to participate, without vote, in the discussion of the item entitled:

"Protection of civilians in armed conflict

"Report of the Secretary-General on the protection of civilians in armed conflict (S/2007/643)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Angelo Gnaedinger, Director-General of the International Committee of the Red Cross.

At its 5898th meeting, on 27 May 2008, the Council decided to invite the representatives of Afghanistan, Argentina, Australia, Austria, Canada, Colombia, Georgia, Israel, Japan, Liechtenstein, Mexico, Myanmar, Nigeria, Norway, Peru, Qatar, Slovenia, Switzerland, the Syrian Arab Republic and the United Arab Emirates to participate, without vote, in the discussion of the item entitled "Protection of civilians in armed conflict".

At the same meeting, the Council also decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, in response to his request dated 21 May 2008 to the President of the Council,[276] in accordance with the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[277]

"The Security Council reaffirms its commitment to the full and effective implementation of its resolutions on the protection of civilians in armed conflict and recalls previous statements on the issue made by its President.

"The Council remains committed to addressing the impact of armed conflict on civilians. The Council expresses its deepest concern that civilians continue to account for the majority of victims of acts of violence committed by parties to armed conflict, including as a result of deliberate targeting, of indiscriminate and excessive use of force and of sexual and gender-based violence. The Council condemns all violations of international law, including international humanitarian law, human rights law and refugee law committed against civilians in situations of armed conflict. The Council demands that all relevant parties immediately put an end to such practices. The Council reaffirms in this regard that parties to armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of affected civilians, in particular giving attention to the specific needs of women and children.

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[275] Resolutions or decisions on this question were first adopted by the Security Council in 1999.

[276] Document S/2008/335, incorporated in the record of the 5898th meeting.

[277] S/PRST/2008/18.

"The Council re-emphasizes the responsibility of States to comply with their relevant obligations to end impunity and to prosecute those responsible for war crimes, genocide, crimes against humanity and serious violations of international humanitarian law.

"The Council underlines the importance of safe and unhindered access of humanitarian personnel to provide assistance to civilians in armed conflict in accordance with international law, and stresses the importance, within the framework of humanitarian assistance, of upholding and respecting the humanitarian principles of humanity, neutrality, impartiality and independence.

"The Council recognizes the increasingly valuable role that regional organizations and other intergovernmental institutions play in the protection of civilians, and encourages the Secretary-General and the heads of regional and other intergovernmental organizations to continue their efforts to strengthen their partnership in this regard.

"The Council takes note of the report of the Secretary-General of 28 October 2007 on the protection of civilians in armed conflict,[278] and requests the Secretary-General to submit his next report on this subject by May 2009. The Council invites the Secretary-General to provide an update in that report on the implementation of protection mandates in United Nations missions as mandated by the Council. The Council encourages the Secretary-General to continue to include such updates on the protection of civilians in his regular reporting on United Nations missions."

SMALL ARMS[279]

Decisions

In a letter dated 21 December 2007,[280] the President of the Security Council informed the Secretary-General that his letter dated 28 November 2007[281] had been brought to the attention of the members of the Council and that they concurred with his recommendation and also took note of the intention expressed therein.

At its 5881st meeting, on 30 April 2008, the Council decided to invite the representatives of Argentina, Australia, Austria, Benin, Brazil, Canada, Chile, Colombia, the Congo, Ecuador, Guatemala, Honduras, Iceland, Israel, Jamaica, Japan, Kazakhstan, Kenya, Lesotho, Liechtenstein, Malawi, Mexico, the Netherlands, Nigeria, Peru, the Philippines, Slovenia, Sri Lanka, Switzerland, the Syrian Arab Republic, Uganda and Uruguay to participate, without vote, in the discussion of the item entitled:

"Small arms

"Report of the Secretary-General (S/2008/258)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Hannelore Hoppe, Director and Deputy to the High Representative for Disarmament Affairs.

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[278] S/2007/643.

[279] Resolutions or decisions on this question were first adopted by the Security Council in 1999.

[280] The letter, which was issued as a Security Council document under the symbol S/2007/754, has been reproduced on page 37 of the present volume.

[281] S/2007/753.

WOMEN AND PEACE AND SECURITY[282]

Decisions

At its 5766th meeting, on 23 October 2007, the Security Council decided to invite the representatives of Argentina, Australia, Austria, Bangladesh, Benin, Canada, Colombia, Costa Rica, Croatia, the Democratic Republic of the Congo, Denmark, Egypt, Finland (Under-Secretary of State), Germany, Guatemala, Guinea, Honduras, Iceland, Israel, Japan, Kazakhstan, Kenya, Liechtenstein, Malawi, Mexico, Myanmar, the Netherlands (Minister for Development Cooperation), New Zealand, Nicaragua, Norway, Portugal, the Republic of Korea, Spain, the Sudan, Sweden, the United Arab Emirates, Viet Nam and Zambia to participate, without vote, in the discussion of the item entitled:

"Women and peace and security

"Report of the Secretary-General on women and peace and security (S/2007/567)

"Letter dated 8 October 2007 from the Permanent Representative of Ghana to the United Nations addressed to the Secretary-General (S/2007/598)".[283]

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations, Ms. Rachel Mayanja, Special Adviser to the Secretary-General on Gender Issues and Advancement of Women, and Ms. Joanne Sandler, Ad Interim Executive Director of the United Nations Development Fund for Women.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Ms. Gina Torry, Coordinator of the NGO Working Group on Women, Peace and Security.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[284]

"The Security Council reaffirms its commitment to the full and effective implementation of resolution 1325 (2000) on women and peace and security and recalls the relevant statements by its President as reiterating that commitment.

"The Council reaffirms the purposes and principles of the Charter of the United Nations and the primary responsibility of the Council under the Charter for the maintenance of international peace and security.

"The Council recalls the 2005 World Summit Outcome,[285] the Beijing Declaration and Platform for Action,[286] the outcome documents of the twenty-third special session of the General Assembly entitled 'Women 2000: gender equality, development and peace for the twenty-first century',[287] in particular the statements in these documents concerning women and peace and security, and the declaration of the Commission on the Status of Women at its forty-ninth session on the occasion of the tenth anniversary of the Fourth World Conference on Women.[288]

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[282] Resolutions or decisions on this question were first adopted by the Security Council in 2000.

[283] El Salvador submitted a request to be invited to participate, which it subsequently withdrew.

[284] S/PRST/2007/40.

[285] See General Assembly resolution 60/1.

[286] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[287] General Assembly resolution S-23/2, annex, and resolution S-23/3, annex.

[288] See *Official Records of the Economic and Social Council, 2005, Supplement No. 7* and corrigendum (E/2005/27 and Corr.1), chap. I, sect. A; see also Economic and Social Council decision 2005/232.

"The Council recognizes the importance of ensuring respect for the equal rights of women and, in this regard, reaffirms the importance of the equal role of women in the prevention and resolution of conflicts and in peacebuilding, and stresses the need for their full and equal participation in peace processes at all levels. The Council urges Member States, regional and subregional organizations and the United Nations system to enhance the role of women in decision-making with regard to all peace processes and post-conflict reconstruction and rebuilding of societies as vital in all efforts towards the maintenance and promotion of sustainable peace and security.

"The Council is concerned that armed and other types of conflicts still persist in many parts of the world and are an ongoing reality affecting women in nearly every region. In this regard, the Council expresses deep concern that civilians, particularly women and children, continue to account for the vast majority of victims of acts of violence committed by parties to armed conflict, including as a result of deliberate targeting and indiscriminate and excessive use of force. The Council condemns these acts and demands that those parties immediately put an end to such practices.

"The Council reaffirms in this regard that parties to armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of affected civilians, in particular, giving attention to the specific needs of women and girls.

"The Council recognizes the constant underrepresentation of women in formal peace processes and is deeply concerned about persistent obstacles and challenges resulting from situations such as violence against women, shattered economies and social structures, lack of rule of law, poverty, limited access to education and other resources, various forms of discrimination and stereotypes.

"The Council remains concerned about the low number of women appointed as Special Representatives or Special Envoys of the Secretary-General to peace missions. The Council urges the Secretary-General to appoint, taking into account the principle of equitable geographical representation, more women to pursue good offices on his behalf. The Council urges Member States to redouble their efforts to nominate women candidates to the Secretary-General, for inclusion in a regularly updated centralized roster. In turn, the Council calls upon the Secretary-General to increase the profile and transparency of this procedure and to issue guidelines to Member States on the process of nomination to senior posts. In addition, the Council reaffirms its call for broader gender mainstreaming in all peacekeeping operations, and welcomes United Nations peacekeeping operations policies to promote and protect the rights of women and to take into account a gender perspective as set out in resolution 1325 (2000).

"The Council takes note of the second follow-up report of the Secretary-General on women and peace and security,[289] and the various initiatives and actions undertaken by the United Nations entities in the context of the System-wide Action Plan for the implementation of resolution 1325 (2000),[290] and calls upon the Secretary-General to update, monitor and review the implementation and integration of the Plan, to conduct a system-wide evaluation in 2010 of progress achieved in implementing the Plan in 2008–2009, and to report thereon to the Council.

"While welcoming the progress achieved so far, the Council recognizes the need for full and more effective implementation of resolution 1325 (2000).

[289] S/2007/567.

[290] S/2005/636, annex.

"In this regard, the Council reiterates its call upon Member States to continue to fully and effectively implement resolution 1325 (2000), including, where appropriate, through the development and strengthening of national efforts and capacities, as well as the implementation of national action plans or other relevant national-level strategies.

"The Council calls upon the international community to provide, where needed, financial and technical support, as well as adequate training, for national implementation of resolution 1325 (2000), and upon the United Nations system, civil society and other relevant actors to collaborate and provide assistance in line with national priorities to Member States, particularly those affected by armed conflict, in the rapid development of national action plans, and to work closely with national mechanisms responsible for the implementation of the resolution, including, where appropriate, through the United Nations country teams. To this end, it requests the Secretary-General to include, in his annual report to the Council, information on progress on measures taken to improve, where appropriate, the capacity of relevant Member States to implement resolution 1325 (2000), including information on best practices.

"The Council emphasizes the importance of strengthening cooperation between Member States as well as the United Nations entities and regional organizations in adopting and promoting regional approaches to the full implementation of resolution 1325 (2000) in all its aspects.

"The Council strongly condemns all violations of international law, including international humanitarian law, human rights law and refugee law, committed against women and girls in situations of armed conflict, including killing, maiming, sexual violence, exploitation and abuse. In this regard, the Council urges the complete cessation by all parties of such acts with immediate effect.

"The Council is deeply concerned that despite its repeated condemnation of all acts of violence, including killing, maiming, sexual violence, exploitation and abuse in situations of armed conflict, and despite its calls addressed to all parties to armed conflict for the cessation of such acts with immediate effect and for the adoption of specific measures to protect women and girls from gender-based violence, particularly rape, and other forms of sexual abuse, as well as all other forms of violence, such acts remain pervasive, and in some situations have become systematic, and have reached appalling levels of atrocity. The Council stresses the need to end impunity for such acts as part of a comprehensive approach to seeking peace, justice, truth and national reconciliation.

"In this context, the Council reiterates paragraph 9 of resolution 1325 (2000) and calls upon all parties to armed conflict to respect fully international law applicable to the rights and protection of women and girls, especially as civilians, in particular the obligations applicable to them under the Geneva Conventions of 1949[291] and the Additional Protocols thereto, of 1977,[292] the Convention relating to the Status of Refugees of 1951[293] and the Protocol thereto, of 1967,[294] the Convention on the Elimination of All Forms of Discrimination against Women of 1979[295] and the Optional Protocol thereto, of 1999[296] and the Convention on the Rights of the Child of 1989[297] and the two Optional Protocols thereto,

[291] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[292] Ibid., vol. 1125, Nos. 17512 and 17513.

[293] Ibid., vol. 189, No. 2545.

[294] Ibid., vol. 606, No. 8791.

[295] Ibid., vol. 1249, No. 20378.

[296] Ibid., vol. 2131, No. 20378.

[297] Ibid., vol. 1577, No. 27531.

of 2000,[298] and to bear in mind the relevant provisions of the Rome Statute of the International Criminal Court.[299]

"The Council requests the Secretary-General to include in his reporting to the Council on situations of armed conflict information on progress in gender mainstreaming throughout the United Nations peacebuilding and peacekeeping missions; data on the impact of armed conflict on women and girls, including an account of instances of all forms of violence against women and girls, including killing, maiming, grave sexual violence, abductions and trafficking in persons, committed by the parties to armed conflict; and special measures proposed and taken to protect women and girls from gender-based violence, particularly rape, and other forms of sexual abuse, and all other forms of violence in situations of armed conflict, in order to end impunity, ensure accountability and uphold a zero-tolerance policy for violence against women and girls.

"The Council requests the Secretary-General to prepare a follow-up report on the full implementation of resolution 1325 (2000), incorporating information on the impact of armed conflict on women and girls in situations that are on the agenda of the Council, and also information on their protection and on the enhancement of their role in peace processes, to be submitted to the Council in October 2008, and may request the Secretary-General to give an oral briefing on the progress of the report.

"The Council decides to remain actively seized of the matter."

At its 5916th meeting, on 19 June 2008, the Council decided to invite the representatives of Afghanistan, Argentina, Armenia, Australia, Austria, Bangladesh, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, Cyprus, the Czech Republic, the Democratic Republic of the Congo (Minister of Gender, Family and Child), Denmark, Ecuador, El Salvador, Estonia, Finland, Germany, Ghana, Greece, Hungary, Iceland, Iraq, Ireland, Israel, Jamaica, Japan, Kazakhstan, Latvia, Liberia (Minister for Foreign Affairs), Liechtenstein, Lithuania, Luxembourg, Malta, Mauritania, Mexico, Myanmar, the Netherlands, New Zealand, Nigeria, Norway, the Philippines, Poland, Portugal, the Republic of Korea, Romania, Rwanda, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tonga, Tunisia and the United Republic of Tanzania to participate, without vote, in the discussion of the item entitled:

"Women and peace and security

"Letter dated 4 June 2008 from the Permanent Representative of the United States of America to the United Nations addressed to the Secretary-General (S/2008/364)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Srgjan Kerim, President of the General Assembly, Major General Patrick Cammaert, former Division Commander of the United Nations Organization Mission in the Democratic Republic of the Congo, and Mr. Yukio Takasu, Chairperson of the Peacebuilding Commission and Permanent Representative of Japan to the United Nations.

At the same meeting, the Council further decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ramtane Lamamra, Commissioner for Peace and Security of the African Union, in response to the request dated 18 June 2008 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Council.

[298] Ibid., vols. 2171 and 2173, No. 27531.

[299] Ibid., vol. 2187, No. 38544.

Resolution 1820 (2008) of 19 June 2008

The Security Council,

Reaffirming its commitment to the continuing and full implementation of its resolutions 1325 (2000) of 31 October 2000, 1612 (2005) of 26 July 2005 and 1674 (2006) of 28 April 2006, and recalling the statements by its President of 31 October 2001,[300] 31 October 2002,[301] 28 October 2004,[302] 27 October 2005,[303] 26 October 2006,[304] 7 March 2007[305] and 23 October 2007,[306]

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the resolve expressed in the 2005 World Summit Outcome[285] to eliminate all forms of violence against women and girls, including by ending impunity and by ensuring the protection of civilians, in particular women and girls, during and after armed conflicts, in accordance with the obligations that States have undertaken under international humanitarian law and international human rights law,

Recalling the commitments contained in the Beijing Declaration and Platform for Action[286] as well as those contained in the outcome documents of the twenty-third special session of the General Assembly entitled "Women 2000: gender equality, development and peace for the twenty-first century",[287] in particular those concerning sexual violence and women in situations of armed conflict,

Reaffirming the obligations of States parties to the Convention on the Elimination of All Forms of Discrimination against Women,[288] the Optional Protocol thereto,[289] the Convention on the Rights of the Child[290] and the Optional Protocols thereto,[291] and urging States that have not yet done so to consider ratifying or acceding to them,

Noting that civilians account for the vast majority of those adversely affected by armed conflict; that women and girls are particularly targeted by the use of sexual violence, including as a tactic of war to humiliate, dominate, instil fear in, disperse and/or forcibly relocate civilian members of a community or ethnic group; and that sexual violence perpetrated in this manner may in some instances persist after the cessation of hostilities,

Recalling its condemnation in the strongest terms of all sexual and other forms of violence committed against civilians in armed conflict, in particular women and children,

Reiterating its deep concern that, despite its repeated condemnation of violence against women and children in situations of armed conflict, including sexual violence in situations of armed conflict, and despite its calls addressed to all parties to armed conflict for the cessation of such acts with immediate effect, such acts continue to occur, and in some situations have become systematic and widespread, reaching appalling levels of brutality,

Recalling the inclusion of a range of sexual violence offences in the Rome Statute of the International Criminal Court[292] and the statutes of the ad hoc international criminal tribunals,

Reaffirming the important role of women in the prevention and resolution of conflicts and in peacebuilding, and stressing the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution,

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[300] S/PRST/2001/31.

[301] S/PRST/2002/32.

[302] S/PRST/2004/40.

[303] S/PRST/2005/52.

[304] S/PRST/2006/42.

[305] S/PRST/2007/5.

Deeply concerned about the persistent obstacles and challenges to the participation and full involvement of women in the prevention and resolution of conflict as a result of violence, intimidation and discrimination, which erode women's capacity and legitimacy to participate in post-conflict public life, and acknowledging the negative impact this has on durable peace, security and reconciliation, including post-conflict peacebuilding,

Recognizing that States bear the primary responsibility to respect and ensure the human rights of their citizens, as well as all individuals within their territory, as provided for by relevant international law,

Reaffirming that parties to armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of affected civilians,

Welcoming the ongoing coordination of efforts within the United Nations system, marked by the inter-agency initiative "United Nations Action against Sexual Violence in Conflict," to create awareness about sexual violence in armed conflicts and post-conflict situations and, ultimately, to put an end to it,

1. *Stresses* that sexual violence, when used or commissioned as a tactic of war in order to deliberately target civilians or as a part of a widespread or systematic attack against civilian populations, can significantly exacerbate situations of armed conflict and may impede the restoration of international peace and security, affirms in this regard that effective steps to prevent and respond to such acts of sexual violence can significantly contribute to the maintenance of international peace and security, and expresses its readiness, when considering situations on the agenda of the Security Council, to, where necessary, adopt appropriate steps to address widespread or systematic sexual violence;

2. *Demands* the immediate and complete cessation by all parties to armed conflict of all acts of sexual violence against civilians with immediate effect;

3. *Demands also* that all parties to armed conflict immediately take appropriate measures to protect civilians, including women and girls, from all forms of sexual violence, which could include enforcing appropriate military disciplinary measures and upholding the principle of command responsibility, training troops on the categorical prohibition of all forms of sexual violence against civilians, debunking myths that fuel sexual violence, vetting armed and security forces to take into account past actions of rape and other forms of sexual violence, and evacuation of women and children under imminent threat of sexual violence to safety; and requests the Secretary-General, where appropriate, to encourage dialogue to address this issue in the context of broader discussions of conflict resolution between appropriate United Nations officials and the parties to the conflict, taking into account, inter alia, the views expressed by women of affected local communities;

4. *Notes* that rape and other forms of sexual violence can constitute a war crime, a crime against humanity, or a constitutive act with respect to genocide, stresses the need for the exclusion of sexual violence crimes from amnesty provisions in the context of conflict resolution processes, and calls upon Member States to comply with their obligations for prosecuting persons responsible for such acts and to ensure that all victims of sexual violence, particularly women and girls, have equal protection under the law and equal access to justice, and stresses the importance of ending impunity for such acts as part of a comprehensive approach to seeking sustainable peace, justice, truth and national reconciliation;

5. *Affirms its intention*, when establishing and renewing State-specific sanctions regimes, to take into consideration the appropriateness of targeted and graduated measures against parties to situations of armed conflict who commit rape and other forms of sexual violence against women and girls in situations of armed conflict;

6. *Requests* the Secretary-General, in consultation with the Council, the Special Committee on Peacekeeping Operations and its Working Group and relevant States, as appropriate, to develop and implement appropriate training programmes for all peacekeeping and

humanitarian personnel deployed by the United Nations in the context of missions as mandated by the Council to help them to better prevent, recognize and respond to sexual violence and other forms of violence against civilians;

7. *Also requests* the Secretary-General to continue and strengthen efforts to implement the policy of zero tolerance of sexual exploitation and abuse in United Nations peacekeeping operations, and urges troop- and police-contributing countries to take appropriate preventative action, including predeployment and in-theatre awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

8. *Encourages* troop- and police-contributing countries, in consultation with the Secretary-General, to consider steps they could take to heighten awareness and the responsiveness of their personnel participating in United Nations peacekeeping operations to protect civilians, including women and children, and prevent sexual violence against women and girls in conflict and post-conflict situations, including, wherever possible, the deployment of a higher percentage of women peacekeepers or police;

9. *Requests* the Secretary-General to develop effective guidelines and strategies to enhance the ability of relevant United Nations peacekeeping operations, consistent with their mandates, to protect civilians, including women and girls, from all forms of sexual violence and to systematically include in his written reports to the Council on conflict situations his observations concerning the protection of women and girls and recommendations in this regard;

10. *Requests* the Secretary-General and relevant United Nations agencies, inter alia, through consultation with women and women-led organizations, as appropriate, to develop effective mechanisms for providing protection from violence, including, in particular, sexual violence, to women and girls in and around United Nations-managed refugee and internally displaced persons camps, as well as in all disarmament, demobilization and reintegration processes, and in justice and security sector reform efforts assisted by the United Nations;

11. *Stresses* the important role that the Peacebuilding Commission can play by including in its advice and recommendations for post-conflict peacebuilding strategies, where appropriate, ways to address sexual violence committed during and in the aftermath of armed conflict, and ensuring consultation and effective representation of women's civil society in its country-specific configurations, as part of its wider approach to gender issues;

12. *Urges* the Secretary-General and his Special Envoys to invite women to participate in discussions pertinent to the prevention and resolution of conflict, the maintenance of peace and security, and post-conflict peacebuilding, and encourages all parties to such talks to facilitate the equal and full participation of women at decision-making levels;

13. *Urges* all parties concerned, including Member States, United Nations entities and financial institutions, to support the development and strengthening of the capacities of national institutions, in particular of judicial and health systems, and of local civil society networks in order to provide sustainable assistance to victims of sexual violence in armed conflict and post-conflict situations;

14. *Urges* appropriate regional and subregional bodies, in particular, to consider developing and implementing policies, activities and advocacy for the benefit of women and girls affected by sexual violence in armed conflict;

15. *Requests* the Secretary-General to submit a report to the Council by 30 June 2009 on the implementation of the present resolution in the context of situations which are on the agenda of the Council, utilizing information from available United Nations sources, including country teams, peacekeeping operations and other United Nations personnel, which would include information on situations of armed conflict in which sexual violence has been widely or systematically employed against civilians; analysis of the prevalence and trends of sexual violence in situations of armed conflict; proposals for strategies to minimize the susceptibility of women and girls to such violence; benchmarks for measuring progress in preventing and addressing

sexual violence; appropriate input from United Nations implementing partners in the field; information on his plans for facilitating the collection of timely, objective, accurate and reliable information on the use of sexual violence in situations of armed conflict, including through improved coordination of United Nations activities on the ground and at Headquarters; and information on actions taken by parties to armed conflict to implement their responsibilities as described in the present resolution, in particular by immediately and completely ceasing all acts of sexual violence and taking appropriate measures to protect women and girls from all forms of sexual violence;

16. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5916th meeting.

BRIEFING BY THE PRESIDENT OF THE INTERNATIONAL COURT OF JUSTICE[306]

Decision

At its 5775th meeting, held in private on 2 November 2007, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5775th meeting, held in private on 2 November 2007, the Security Council considered the item entitled 'Briefing by the President of the International Court of Justice'.

"In accordance with the understanding reached in the Council's prior consultations, the President extended an invitation under rule 39 of the provisional rules of procedure of the Council to Judge Rosalyn Higgins, President of the International Court of Justice.

"Members of the Council and Judge Higgins had an exchange of views."

MEETING OF THE SECURITY COUNCIL WITH THE TROOP-CONTRIBUTING COUNTRIES PURSUANT TO RESOLUTION 1353 (2001), ANNEX II, SECTIONS A AND B[307]

A. United Nations Peacekeeping Force in Cyprus[308]

Decisions

At its 5794th meeting, held in private on 7 December 2007, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 7 December 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5794th meeting, in private with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus.

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[306] Resolutions or decisions on this question were first adopted by the Security Council in 2000.

[307] Resolutions or decisions on this question were first adopted by the Security Council in 2001. As from 1 January 2008, all items relating to meetings of the Council with the troop-contributing countries to specific missions pursuant to resolution 1353 (2001), annex II, sections A and B, were subsumed under the present item.

[308] Resolutions or decisions on this question were first adopted by the Security Council in 2001.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Michael Møller, Special Representative of the Secretary-General for Cyprus and Head of the United Nations Peacekeeping Force in Cyprus.

"Members of the Council, Mr. Møller and representatives of participating troop-contributing countries had an exchange of views."

At its 5906th meeting, held in private on 9 June 2008, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 9 June 2008, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5906th meeting, in private with the troop-contributing countries to the United Nations Peacekeeping Force in Cyprus.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Tayé-Brook Zerihoun, Special Representative of the Secretary-General for Cyprus and Head of the United Nations Peacekeeping Force in Cyprus.

"Members of the Council, Mr. Zerihoun and representatives of participating troop-contributing countries had an exchange of views."

B. United Nations Disengagement Observer Force[308]

Decisions

At its 5797th meeting, held in private on 11 December 2007, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 11 December 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5797th meeting, in private with the troop-contributing countries to the United Nations Disengagement Observer Force.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Ms. Lisa Buttenheim, Director of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat.

"Members of the Council, Ms. Buttenheim and representatives of participating troop-contributing countries had an exchange of views."

At its 5918th meeting, held in private on 23 June 2008, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 23 June 2008, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5918th meeting, in private with the troop-contributing countries to the United Nations Disengagement Observer Force.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Wolfgang Weisbrod-Weber, Director a.i. of the Asia and Middle East Division of the Department of Peacekeeping Operations of the Secretariat."

C. United Nations Interim Force in Lebanon[309]

Decision

At its 5731st meeting, held in private on 16 August 2007, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 16 August 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5731st meeting, in private with the troop-contributing countries to the United Nations Interim Force in Lebanon.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Assistant Secretary-General for Peacekeeping Operations.

"Members of the Council, Mr. Annabi and representatives of participating troop-contributing countries had an exchange of views."

D. United Nations Mission for the Referendum in Western Sahara[310]

Decisions

At its 5770th meeting, held in private on 26 October 2007, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 26 October 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5770th meeting, in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Julian Harston, Special Representative of the Secretary-General for Western Sahara.

"Members of the Council, Mr. Harston and representatives of participating troop-contributing countries had an exchange of views."

At its 5870th meeting, held in private on 21 April 2008, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 21 April 2008, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5870th meeting, in private with the troop-contributing countries to the United Nations Mission for the Referendum in Western Sahara.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Julian Harston, Special Representative of the Secretary-General for Western Sahara.

"Members of the Council, Mr. Harston and representatives of participating troop-contributing countries had an exchange of views."

[309] Resolutions or decisions on this question were first adopted by the Security Council in 2002.

E. United Nations Observer Mission in Georgia[309]

Decisions

At its 5756th meeting, held in private on 11 October 2007, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 11 October 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5756th meeting, in private with the troop-contributing countries to the United Nations Observer Mission in Georgia.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Jean Arnault, Special Representative of the Secretary-General for Georgia and Head of the United Nations Observer Mission in Georgia.
>
> "Members of the Council, Mr. Arnault and representatives of participating troop-contributing countries had an exchange of views."

At its 5865th meeting, held in private on 14 April 2008, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 14 April 2008, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5865th meeting, in private with the troop-contributing countries to the United Nations Observer Mission in Georgia.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations.
>
> "Members of the Council, Mr. Mulet and representatives of participating troop-contributing countries had an exchange of views."

F. United Nations Organization Mission in the Democratic Republic of the Congo[308]

Decision

At its 5787th meeting, held in private on 29 November 2007, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

> "On 29 November 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5787th meeting, in private with the troop-contributing countries to the United Nations Organization Mission in the Democratic Republic of the Congo.
>
> "The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. William Lacy Swing, Special Representative of the Secretary-General for the Democratic Republic of the Congo.
>
> "Members of the Council, Mr. Swing, Lieutenant General Babacar Gaye, Force Commander of the Mission, and representatives of participating troop-contributing countries had an exchange of views."

G. United Nations Mission in Ethiopia and Eritrea[308]

Decision

At its 5826th meeting, held in private on 25 January 2008, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 25 January 2008, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5826th meeting, in private with the troop-contributing countries to the United Nations Mission in Ethiopia and Eritrea.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Azouz Ennifar, Acting Special Representative of the Secretary-General for Ethiopia and Eritrea.

"Members of the Council, Mr. Ennifar and representatives of participating troop-contributing countries had an exchange of views."

H. United Nations Mission in Liberia[309]

Decision

At its 5737th meeting, held in private on 6 September 2007, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 6 September 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5737th meeting, in private with the troop-contributing countries to the United Nations Mission in Liberia.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Alan Doss, Special Representative of the Secretary-General for Liberia.

"Members of the Council, Mr. Doss and representatives of participating troop-contributing countries had an exchange of views."

I. United Nations Operation in Côte d'Ivoire[310]

Decisions

At its 5819th meeting, held in private on 14 January 2008, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 14 January 2008, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5819th meeting, in private with the troop-contributing countries to the United Nations Operation in Côte d'Ivoire.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Choi Young-Jin, Special Representative of the Secretary-General for Côte d'Ivoire.

"Members of the Council, Mr. Choi and representatives of participating troop-contributing countries had an exchange of views."

[310] Resolutions or decisions on this question were first adopted by the Security Council in 2003.

At its 5943rd meeting, held in private on 24 July 2008, the Council decided to authorize its President to issue through the Secretary-General the following communique, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 24 July 2008, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5943rd meeting, in private with the troop-contributing countries to the United Nations Operation in Côte d'Ivoire.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Choi Young-Jin, Special Representative of the Secretary-General for Côte d'Ivoire.

"Members of the Council, Mr. Choi and representatives of participating troop-contributing countries had an exchange of views."

J. United Nations Stabilization Mission in Haiti[311]

Decision

At its 5755th meeting, held in private on 10 October 2007, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 10 October 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5755th meeting, in private with the troop-contributing countries to the United Nations Stabilization Mission in Haiti.

"The Council and the troop-contributing countries heard briefings under rule 39 of the provisional rules of procedure of the Council by Mr. Hédi Annabi, Special Representative of the Secretary-General for Haiti and Head of the United Nations Stabilization Mission in Haiti and by Major General Per Arne Five, Acting Military Adviser in the Department of Peacekeeping Operations of the Secretariat.

"Members of the Council, Mr. Annabi, Major General Five and representatives of participating troop-contributing countries had an exchange of views."

K. United Nations Mission in the Sudan[312]

Decisions

At its 5771st meeting, held in private on 29 October 2007, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 29 October 2007, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5771st meeting, in private with the troop-contributing countries to the United Nations Mission in the Sudan.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

"Members of the Council, Mr. Guéhenno and representatives of participating troop-contributing countries had an exchange of views."

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[311] Resolutions or decisions on this question were first adopted by the Security Council in 2004.

[312] Resolutions or decisions on this question were first adopted by the Security Council in 2005.

At its 5875th meeting, held in private on 24 April 2008, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 24 April 2008, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001), held its 5875th meeting, in private with the troop-contributing countries to the United Nations Mission in the Sudan.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

"Members of the Council, Mr. Guéhenno and representatives of participating troop-contributing countries had an exchange of views."

L. African Union-United Nations Hybrid Operation in Darfur

Decision

At its 5934th meeting, held in private on 16 July 2008, the Security Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"On 16 July 2008, the Security Council, pursuant to sections A and B of annex II to resolution 1353 (2001) of 13 June 2001, held its 5934th meeting, in private with the troop-contributing countries to the African Union-United Nations Hybrid Operation in Darfur.

"The Council and the troop-contributing countries heard a briefing under rule 39 of the provisional rules of procedure of the Council by Major General Per Arne Five, Acting Military Adviser in the Department of Peacekeeping Operations of the Secretariat.

"Members of the Council, Major General Five and representatives of participating troop-contributing countries had an exchange of views."

BRIEFING BY THE CHAIRMAN-IN-OFFICE OF THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE[313]

Decisions

At its 5751st meeting, on 28 September 2007, the Security Council considered the item entitled "Briefing by the Chairman-in-Office of the Organization for Security and Cooperation in Europe".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Miguel Ángel Moratinos Cuyaubé, Chairman-in-Office of the Organization for Security and Cooperation in Europe and Minister for Foreign Affairs and Cooperation of Spain.

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[313] Resolutions or decisions on this question were first adopted by the Security Council in 2001.

THREATS TO INTERNATIONAL PEACE AND SECURITY CAUSED BY TERRORIST ACTS[314]

Decisions

At its 5738th meeting, on 7 September 2007, the Security Council decided to invite the representative of Algeria to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[315]

> "The Security Council condemns in the strongest terms the terrorist attack that occurred in Batna, Algeria, on 6 September 2007, causing numerous deaths and injuries, and expresses its deep sympathy and condolences to the victims of this heinous act of terrorism and their families, and to the people and the Government of Algeria.
>
> "The Council underlines the need to bring the perpetrators, organizers, financers and sponsors of this reprehensible act of terrorism to justice, and urges all States, in accordance with their obligations under international law and resolutions 1373 (2001) and 1624 (2005), to cooperate actively with the Algerian authorities in this regard.
>
> "The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security, and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed.
>
> "The Council further reaffirms the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts. The Council reminds States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law.
>
> "The Council reiterates its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter."

On 28 September 2007, the President of the Security Council addressed the following letter to the Secretary-General:[316]

> "I have the honour to inform you that your letter dated 29 August 2007 concerning your intention to appoint Mr. Mike Smith, of Australia, as the Executive Director of the Counter-Terrorism Committee Executive Directorate[317] has been brought to the attention of the members of the Security Council. They approve the appointment."

At its 5754th meeting, on 5 October 2007, the Council decided to invite the representative of Poland to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[318]

> "The Security Council condemns the attack in Baghdad against the Ambassador of Poland to Iraq on 3 October 2007, which resulted in the wounding of the Ambassador, the

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[314] Resolutions or decisions on this question were first adopted by the Security Council in 2001.

[315] S/PRST/2007/32.

[316] S/2007/578.

[317] S/2007/577.

[318] S/PRST/2007/36.

killing of one member of his personal security detachment team and injuries to two others. The attack also killed at least one Iraqi civilian.

"The Council expresses its deepest sympathy and condolences to the victims of this attack and to their families, and to the Government of Poland.

"The Council underlines the need to bring the perpetrators, organizers, financers and sponsors of this act to justice and urges all States, in accordance with their obligations under international law and relevant Council resolutions, to cooperate with the Governments of Poland and Iraq in this regard.

"The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed.

"The Council also calls upon the international community to support the Government of Iraq in exercising its responsibility to provide protection to the diplomatic community in Iraq, United Nations staff and other foreign civilian personnel working in Iraq.

"The Council further reaffirms the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts. The Council reminds States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law.

"The Council reiterates its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter."

At its 5764th meeting, on 22 October 2007, the Council decided to invite the representative of Pakistan to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[319]

"The Security Council condemns in the strongest terms the bomb attacks that occurred in Karachi, Pakistan, on 18 October 2007, causing numerous deaths and injuries, and expresses its deep sympathy and condolences to the victims of this heinous act of terrorism and their families, and to the people and the Government of Pakistan.

"The Council underlines the need to bring the perpetrators, organizers, financers and sponsors of this reprehensible act of terrorism to justice, and urges all States, in accordance with their obligations under international law and resolution 1373 (2001), and consistent with resolution 1624 (2005), to cooperate actively with the Pakistani authorities in this regard.

"The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security, and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed.

"The Council further reaffirms the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts. The Council reminds States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law.

"The Council reiterates its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter."

[319] S/PRST/2007/39.

At its 5795th meeting, on 10 December 2007, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1787 (2007)
of 10 December 2007

The Security Council,

Recalling its resolutions 1373 (2001) of 28 September 2001, 1456 (2003) of 20 January 2003, 1535 (2004) of 26 March 2004 and 1624 (2005) of 14 September 2005, as well as its other resolutions concerning threats to international peace and security caused by terrorism,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security,

Welcoming the adoption by the General Assembly of the United Nations Global Counter-Terrorism Strategy[320] and the creation of the Counter-Terrorism Implementation Task Force to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations,

Reminding States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law,

Commending Member States for their cooperation with the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism (the Counter-Terrorism Committee), and calling upon all of them to continue to cooperate fully with the Committee,

1. *Decides* to extend the initial period referred to in paragraph 2 of resolution 1535 (2004) until 31 March 2008;

2. *Requests* the Executive Director of the Counter-Terrorism Committee Executive Directorate, within sixty days of the adoption of the present resolution and in consultation with members of the Security Council, to recommend such changes as he deems appropriate to the organizational plan referred to in paragraph 4 of resolution 1535 (2004) and to submit them to the Counter-Terrorism Committee for its consideration and endorsement prior to the expiration of the period referred to in paragraph 1 of the present resolution;

3. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5795th meeting.

Decisions

At its 5798th meeting, on 11 December 2007, the Security Council decided to invite the representative of Algeria to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[321]

> "The Security Council condemns in the strongest terms the terrorist attacks that occurred in Algiers on 11 December 2007 near the Supreme Court and the United Nations offices, causing numerous deaths and injuries, and expresses its deep sympathy and

[320] General Assembly resolution 60/288.

[321] S/PRST/2007/45.

condolences to the victims of this heinous act of terrorism and their families, and to the people and the Government of Algeria. The Council expresses its deep sympathy and condolences to the United Nations staff, and their families, who were among the victims in one of these attacks, and to the Secretary-General.

"The Council underlines the need to bring the perpetrators, organizers, financers and sponsors of this reprehensible act of terrorism to justice, and urges all States, in accordance with their obligations under international law and resolution 1373 (2001) and consistent with resolution 1624 (2005), to cooperate actively with the Algerian authorities in this regard.

"The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security, and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed.

"The Council further reaffirms the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts. The Council reminds States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law.

"The Council reiterates its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter."

At its 5816th meeting, on 27 December 2007, the Council decided to invite the representative of Pakistan to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[122]

"The Security Council condemns in the strongest terms the terrorist suicide attack by extremists that occurred in Rawalpindi, Pakistan, on 27 December 2007, causing the death of former Prime Minister Benazir Bhutto and numerous other casualties, and expresses its deep sympathy and condolences to the victims of this heinous act of terrorism and their families, and to the people and the Government of Pakistan. The Council pays tribute to former Prime Minister Bhutto.

"The Council calls upon all Pakistanis to exercise restraint and maintain stability in the country.

"The Council underlines the need to bring the perpetrators, organizers, financers and sponsors of this reprehensible act of terrorism to justice, and urges all States, in accordance with their obligations under international law and resolution 1373 (2001) and consistent with resolution 1624 (2005), to cooperate actively with the Pakistani authorities in this regard.

"The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security, and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed.

"The Council further reaffirms the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts. The Council reminds States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law.

[122] S/PRST/2007/50.

"The Council reiterates its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter."

At its 5855th meeting, on 19 March 2008, the Council decided to invite the representatives of Argentina, Australia, Cuba, India, Iran (Islamic Republic of), Israel, Japan, Mexico, Slovenia, Spain, Turkey and Venezuela (Bolivarian Republic of) to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Mike Smith, Executive Director of the Counter-Terrorism Committee Executive Directorate.

At its 5856th meeting, on 20 March 2008, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1805 (2008) of 20 March 2008

The Security Council,

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivation, whenever and by whomsoever committed, and remaining determined to contribute further to enhancing the effectiveness of the overall effort to fight this scourge on a global level,

Recalling its resolution 1373 (2001) of 28 September 2001, pursuant to which it established the Counter-Terrorism Committee, and recalling also its other resolutions concerning threats to international peace and security caused by terrorist acts,

Recalling in particular its resolutions 1535 (2004) of 26 March 2004 and 1787 (2007) of 10 December 2007, which pertain to the Counter-Terrorism Committee Executive Directorate,

Recalling its previous reviews of the Executive Directorate contained in the statements by its President of 21 December 2005[323] and 20 December 2006,[324] and reaffirming its conclusions contained therein,

Welcoming the revised organizational plan for the Executive Directorate submitted by its Executive Director[325] and the recommendations contained therein,

Noting with appreciation the emphasis by the Executive Directorate on the guiding principles of cooperation, transparency and even-handedness, and its stated intention to adopt a more proactive communications strategy,

Underscoring the central role of the United Nations in the global fight against terrorism, and welcoming the adoption by the General Assembly of the United Nations Global Counter-Terrorism Strategy on 8 September 2006[326] and the creation of the Counter-Terrorism Implementation Task Force to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system,

Reminding States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, in particular international human rights, refugee and humanitarian law, and recalling that the Executive Directorate should continue, in accordance with its mandate, to advise

[323] S/PRST/2005/64.

[324] S/PRST/2006/56.

[325] S/2008/80, enclosure.

the Counter-Terrorism Committee on issues relating to such law in connection with the identification and implementation of effective measures to implement resolution 1373 (2001) and resolution 1624 (2005) of 14 September 2005,

1. *Underlines* that the overarching goal of the Counter-Terrorism Committee is to ensure the full implementation of resolution 1373 (2001), and recalls the crucial role of the Counter-Terrorism Committee Executive Directorate in supporting the Committee in the fulfilment of its mandate;

2. *Decides* that the Executive Directorate shall continue to operate as a special political mission under the policy guidance of the Counter-Terrorism Committee for the period ending 31 December 2010, and further decides to conduct an interim review by 30 June 2009 and a comprehensive consideration of the work of the Executive Directorate prior to the expiration of its mandate;

3. *Welcomes and affirms* the endorsement by the Counter-Terrorism Committee of the recommendations contained in the revised organizational plan for the Executive Directorate;[12]

4. *Urges* the Executive Directorate to continue strengthening its role in facilitating technical assistance for the implementation of resolution 1373 (2001) aimed at increasing the capabilities of Member States in the fight against terrorism by addressing their counter-terrorism needs;

5. *Stresses* the importance of a tailored dialogue among the Executive Directorate, the Counter-Terrorism Committee and Member States, including for the development of relevant implementation strategies by Member States, and encourages the Committee and the Executive Directorate to arrange meetings with Member States in various formats;

6. *Urges* the Executive Directorate also to intensify cooperation with relevant international, regional and subregional organizations with a view to enhancing the capacity of Member States to fully implement resolution 1373 (2001) and to facilitate the provision of technical assistance;

7. *Encourages* the Executive Directorate to continue providing the necessary support for the work of the Counter-Terrorism Committee with Member States towards comprehensive implementation of resolution 1624 (2005), as set out in paragraph 6 of that resolution;

8. *Welcomes* the briefing by the Executive Director of the Executive Directorate,[12a] looks forward to the global survey of the implementation of resolution 1373 (2001), and directs the Counter-Terrorism Committee to submit an annual report on the implementation of the present resolution, with its observations and recommendations;

9. *Requests* the Counter-Terrorism Committee, in addition to the report requested in paragraph 8 above, to report orally, through its Chairman, at least every one hundred and eighty days to the Security Council on the overall work of the Committee and the Executive Directorate, and, as appropriate, in conjunction with the reports by the Chairmen of the Security Council Committee established pursuant to resolution 1267 (1999) and the Security Council Committee established pursuant to resolution 1540 (2004), and encourages informal briefings for all interested Member States;

10. *Reiterates* the need to enhance ongoing cooperation among the Counter-Terrorism Committee, the Committee established pursuant to resolution 1267 (1999) and the Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced information-sharing, coordinated visits to countries, technical assistance and other issues of relevance to all three Committees, and expresses its intention to provide guidance to the Committees on areas of common interest in order better to coordinate counter-terrorism efforts;

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[12] See S/PV.5855 and Corr.1.

11. *Welcomes and emphasizes* the importance of the readiness of the Executive Directorate to participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy,[326] including within the Counter-Terrorism Implementation Task Force established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system.

Adopted unanimously at the 5856th meeting.

Decisions

At its 5903rd meeting, on 2 June 2008, the Security Council decided to invite the representatives of Denmark and Pakistan to participate, without vote, in the discussion of the item entitled "Threats to international peace and security caused by terrorist acts".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[327]

> "The Security Council condemns in the strongest terms the terrorist attack that occurred outside the Danish Embassy in Islamabad on 2 June 2008, causing numerous deaths, injuries and damage to nearby buildings, including a building housing the United Nations Development Programme. It expresses its deep sympathy and condolences to the victims of this heinous act of terrorism and to their families, and to the people and Governments of Pakistan and Denmark.
>
> "The Council underlines the need to bring the perpetrators, organizers, financers and sponsors of this reprehensible act of terrorism to justice, and urges all States, in accordance with their obligations under international law and resolution 1373 (2001) and consistent with resolution 1624 (2005), to cooperate actively with the Pakistani authorities in this regard.
>
> "The Council reaffirms that terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security, and that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed.
>
> "The Council further reaffirms the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts. The Council reminds States that they must ensure any measures taken to combat terrorism comply with all their obligations under international law, in particular international human rights, refugee and humanitarian law.
>
> "The Council reiterates its determination to combat all forms of terrorism, in accordance with its responsibilities under the Charter."

At its 5928th meeting, on 30 June 2008, the Council considered the item entitled "Threats to international peace and security caused by terrorist acts".

Resolution 1822 (2008)
of 30 June 2008

The Security Council,

Recalling its resolutions 1267 (1999) of 15 October 1999, 1333 (2000) of 19 December 2000, 1363 (2001) of 30 July 2001, 1373 (2001) of 28 September 2001, 1390 (2002) of 16 January 2002, 1452 (2002) of 20 December 2002, 1455 (2003) of 17 January 2003, 1526 (2004) of 30 January 2004, 1566 (2004) of 8 October 2004, 1617 (2005) of 29 July 2005, 1624 (2005) of 14 September 2005, 1699 (2006) of 8 August 2006, 1730 (2006) of 19 December 2006 and 1735 (2006) of 22 December 2006, and the relevant statements by its President,

[327] S/PRST/2008/19.

Reaffirming that terrorism in all its forms and manifestations constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable regardless of their motivation, whenever and by whomsoever committed, and reiterating its unequivocal condemnation of Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, for ongoing and multiple criminal terrorist acts aimed at causing the death of innocent civilians and other victims, destruction of property and greatly undermining stability,

Reaffirming also the need to combat by all means, in accordance with the Charter of the United Nations and international law, including applicable international human rights, refugee and humanitarian law, threats to international peace and security caused by terrorist acts, stressing in this regard the important role that the United Nations plays in leading and coordinating this effort,

Welcoming the adoption by the General Assembly of the United Nations Global Counter-Terrorism Strategy on 8 September 2006[120] and the creation of the Counter-Terrorism Implementation Task Force to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system,

Reiterating its deep concern about the increased violent and terrorist activities in Afghanistan of the Taliban and Al-Qaida, and other individuals, groups, undertakings and entities associated with them,

Recalling its resolution 1817 (2008) of 11 June 2008, and reiterating its support for the fight against the illicit production of and trafficking in drugs from, and chemical precursors to, Afghanistan, in neighbouring countries, countries on trafficking routes, drug destination countries and precursor-producing countries,

Expressing its deep concern about the criminal misuse of the Internet by Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, in furtherance of terrorist acts,

Stressing that terrorism can only be defeated by a sustained and comprehensive approach involving the active participation and collaboration of all States and international and regional organizations to impede, impair, isolate and incapacitate the terrorist threat,

Emphasizing that sanctions are an important tool under the Charter in the maintenance and restoration of international peace and security, and stressing in this regard the need for robust implementation of the measures in paragraph 1 of the present resolution as a significant tool in combating terrorist activity,

Urging all Member States, international bodies and regional organizations to allocate sufficient resources to meet the ongoing and direct threat posed by Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, including by participating actively in identifying which individuals, groups, undertakings and entities should be subject to the measures referred to in paragraph 1 of the present resolution,

Reiterating that dialogue between the Security Council Committee established pursuant to resolution 1267 (1999) ("the Committee") and Member States is vital to the full implementation of measures,

Taking note of challenges to measures implemented by Member States in accordance with the measures referred to in paragraph 1 of the present resolution, and recognizing continuing efforts of Member States and the Committee to ensure that fair and clear procedures exist for placing individuals, groups, undertakings and entities on the list created pursuant to resolutions 1267 (1999) and 1333 (2000) ("the Consolidated List") and for removing them, as well as for granting humanitarian exemptions,

Reiterating that the measures referred to in paragraph 1 of the present resolution are preventative in nature and are not reliant upon criminal standards set out under national law,

Emphasizing the obligation placed upon all Member States to implement, in full, resolution 1373 (2001), including with regard to the Taliban or Al-Qaida, and any individuals, groups, undertakings or entities associated with Al-Qaida, Osama bin Laden or the Taliban, who have participated in financing, planning, facilitating, recruiting for, preparing, perpetrating or otherwise supporting terrorist activities or acts, as well as to facilitate the implementation of counter-terrorism obligations in accordance with relevant Council resolutions,

Welcoming the establishment by the Secretary-General, pursuant to resolution 1730 (2006), of the Focal Point within the Secretariat to receive de-listing requests, and taking note with appreciation of the ongoing cooperation between the Focal Point and the Committee,

Welcoming also the continuing cooperation of the Committee and the International Criminal Police Organization (INTERPOL), in particular on the development of Special Notices, which assists Member States in their implementation of the measures, and recognizing the role of the Analytical Support and Sanctions Monitoring Team ("the Monitoring Team") in this regard,

Welcoming further the continuing cooperation of the Committee with the United Nations Office on Drugs and Crime, in particular on technical assistance and capacity-building, to assist Member States in implementing their obligations under the present resolution and other relevant resolutions and international instruments,

Noting with concern the continued threat posed to international peace and security by Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, and reaffirming its resolve to address all aspects of that threat,

Acting under Chapter VII of the Charter,

Measures

1. *Decides* that all States shall take the following measures as previously imposed by paragraph 4 (*b*) of resolution 1267 (1999), paragraph 8 (*c*) of resolution 1333 (2000), and paragraphs 1 and 2 of resolution 1390 (2002), with respect to Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, as referred to in the list created pursuant to resolutions 1267 (1999) and 1333 (2000) ("the Consolidated List"):

(*a*) Freeze without delay the funds and other financial assets or economic resources of those individuals, groups, undertakings and entities, including funds derived from property owned or controlled directly or indirectly, by them or by persons acting on their behalf or at their direction, and ensure that neither these nor any other funds, financial assets or economic resources are made available, directly or indirectly, for the benefit of such persons by their nationals or by persons within their territory;

(*b*) Prevent the entry into or transit through their territories of those individuals, provided that nothing in the present paragraph shall oblige any State to deny entry into or require the departure from its territories of its own nationals and that the present paragraph shall not apply where entry or transit is necessary for the fulfilment of a judicial process, or the Committee determines on a case-by-case basis only that entry or transit is justified;

(*c*) Prevent the direct or indirect supply, sale or transfer to those individuals, groups, undertakings and entities, from their territories or by their nationals outside their territories, or using their flag vessels or aircraft, of arms and related materiel of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment, and spare parts for the aforementioned, and technical advice, assistance or training related to military activities;

2. *Reaffirms* that acts or activities indicating that an individual, group, undertaking or entity is "associated with" Al-Qaida, Osama bin Laden or the Taliban include:

(*a*) Participating in the financing, planning, facilitating, preparing or perpetrating of acts or activities by, in conjunction with, under the name of, on behalf of, or in support of;

(*b*) Supplying, selling or transferring arms and related materiel to;

(*c*) Recruiting for; or

(*d*) Otherwise supporting acts or activities of;

Al-Qaida, Osama bin Laden or the Taliban, or any cell, affiliate, splinter group or derivative thereof;

3. *Further reaffirms* that any undertaking or entity owned or controlled, directly or indirectly, by, or otherwise supporting, such an individual, group, undertaking or entity associated with Al-Qaida, Osama bin Laden or the Taliban shall be eligible for designation;

4. *Confirms* that the requirements in paragraph 1 (*a*) above apply to financial and economic resources of every kind, including but not limited to those used for the provision of Internet hosting or related services, used for the support of Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings or entities associated with them;

5. *Encourages* Member States to continue their efforts to act vigorously and decisively to cut the flow of funds and other financial assets and economic resources to Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them;

6. *Decides* that Member States may permit the addition to accounts frozen pursuant to the provisions of paragraph 1 above of any payment in favour of listed individuals, groups, undertakings or entities, provided that any such payments continue to be subject to the provisions in paragraph 1 above and are frozen;

7. *Reaffirms* the provisions regarding available exemptions to the measures in paragraph 1 (*a*) above, set out in paragraphs 1 and 2 of resolution 1452 (2002), as amended by resolution 1735 (2006), and reminds Member States to use the procedures for exemptions as set out in the Committee guidelines;

8. *Reiterates* the obligation of all Member States to implement and enforce the measures set out in paragraph 1 above, and urges all States to redouble their efforts in this regard;

Listing

9. *Encourages* all Member States to submit to the Committee for inclusion on the Consolidated List names of individuals, groups, undertakings and entities participating, by any means, in the financing or support of acts or activities of Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them, as described in paragraph 2 of resolution 1617 (2005) and reaffirmed in paragraph 2 above;

10. *Notes* that such means of financing or support include but are not limited to the use of proceeds derived from illicit cultivation and production of and trafficking in narcotic drugs originating in Afghanistan and their precursors;

11. *Reiterates its call for* continued cooperation between the Committee and the Government of Afghanistan and the United Nations Assistance Mission in Afghanistan, including by identifying individuals and entities participating in the financing or support of acts or activities of Al-Qaida and the Taliban as described in paragraph 30 of resolution 1806 (2008) of 20 March 2008;

12. *Reaffirms* that, when proposing names to the Committee for inclusion on the Consolidated List, Member States shall act in accordance with paragraph 5 of resolution 1735 (2006) and provide a detailed statement of case, and decides further that for each such proposal Member States shall identify those parts of the statement of case that may be publicly released, including for use by the Committee for the development of the summary described in paragraph 13 below or for the purpose of notifying or informing the listed individual or entity, and those parts which may be released, upon request, to interested States;

13. *Directs* the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, after a name is added to the Consolidated List, to make accessible on the Committee website a narrative summary of reasons for listing for the corresponding entry or entries on the Consolidated List, and further directs the Committee, with the assistance of the Monitoring Team and in coordination with the relevant designating States, to make accessible on the Committee website narrative summaries of reasons for listing for entries that were added to the Consolidated List before the date of adoption of the present resolution;

14. *Calls upon* Member States, when proposing names to the Committee for inclusion on the Consolidated List, to use the cover sheet in annex I to resolution 1735 (2006), and requests that they provide the Committee with as much relevant information as possible on the proposed name, in particular sufficient identifying information to allow for the positive identification of individuals, groups, undertakings and entities by Member States, and directs the Committee to update the cover sheet in line with the provisions outlined in paragraphs 12 and 13 above;

15. *Decides* that the Secretariat shall, after publication but within one week after a name is added to the Consolidated List, notify the permanent mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known) in accordance with paragraph 10 of resolution 1735 (2006);

16. *Underlines* the need for the prompt update of the Consolidated List on the Committee website;

17. *Demands* that Member States receiving notification as in paragraph 15 above take, in accordance with their domestic laws and practices, all possible measures to notify or inform in a timely manner the listed individual or entity of the designation and to include with this notification a copy of the publicly releasable portion of the statement of case, any information on reasons for listing available on the Committee website, a description of the effects of designation, as provided in the relevant resolutions, the procedures of the Committee for considering de-listing requests, and the provisions of resolution 1452 (2002) regarding available exemptions;

18. *Encourages* Member States receiving notification as in paragraph 15 above to inform the Committee on steps they have taken to implement the measures set out in paragraph 1 above and on the measures taken in accordance with paragraph 17 above, and further encourages Member States to use the tools provided on the Committee website to provide this information;

De-listing

19. *Welcomes* the establishment within the Secretariat of the Focal Point, pursuant to resolution 1730 (2006), that provides listed individuals, groups, undertakings or entities with the option to submit a petition for de-listing directly to the Focal Point;

20. *Urges* designating States and States of citizenship and residence to review de-listing petitions received through the Focal Point, in accordance with the procedures outlined in the annex to resolution 1730 (2006), in a timely manner and to indicate whether they support or oppose the request in order to facilitate review by the Committee;

21. *Directs* the Committee to continue to work, in accordance with its guidelines, to consider petitions for the removal from the Consolidated List of members and/or associates of Al-Qaida, Osama bin Laden or the Taliban who no longer meet the criteria established in the relevant resolutions;

22. *Also directs* the Committee to consider an annual review of the names on the Consolidated List of individuals reported to be deceased, in which the names are circulated to the relevant States pursuant to the procedures set forth in the Committee guidelines, in order to ensure that the Consolidated List is as updated and accurate as possible and to confirm that listing remains appropriate;

23. *Decides* that the Secretariat shall, within one week after a name is removed from the Consolidated List, notify the permanent mission of the country or countries where the individual or entity is believed to be located and, in the case of individuals, the country of which the person is a national (to the extent this information is known), and demands that States receiving such notification take measures, in accordance with their domestic laws and practices, to notify or inform the concerned individual or entity of the de-listing in a timely manner;

Review and maintenance of the Consolidated List

24. *Encourages* all Member States, in particular designating States and States of residence or nationality, to submit to the Committee additional identifying and other information, along with supporting documentation, on listed individuals, groups, undertakings and entities, including updates on the operating status of listed entities, groups and undertakings, the movement, incarceration or death of listed individuals and other significant events, as such information becomes available;

25. *Directs* the Committee to conduct a review of all names on the Consolidated List at the date of adoption of the present resolution by 30 June 2010, in which the relevant names are circulated to the designating States and States of residence and/or citizenship, where known, pursuant to the procedures set forth in the Committee guidelines, in order to ensure that the Consolidated List is as updated and accurate as possible and to confirm that listing remains appropriate;

26. *Also directs* the Committee, upon completion of the review described in paragraph 25 above, to conduct an annual review of all names on the Consolidated List that have not been reviewed in three or more years, in which the relevant names are circulated to the designating States and States of residence and/or citizenship, where known, pursuant to the procedures set forth in the Committee guidelines, in order to ensure that the Consolidated List is as updated and accurate as possible and to confirm that listing remains appropriate;

Measures – implementation

27. *Reiterates* the importance of all States identifying, and if necessary introducing, adequate procedures to implement fully all aspects of the measures described in paragraph 1 above;

28. *Encourages* the Committee to continue to ensure that fair and clear procedures exist for placing individuals and entities on the Consolidated List and for removing them as well as for granting humanitarian exemptions, and directs the Committee to keep its guidelines under active review in support of these objectives;

29. *Directs* the Committee, as a matter of priority, to review its guidelines with respect to the provisions of the present resolution, in particular paragraphs 6, 12, 13, 17, 22 and 26 above;

30. *Encourages* Member States to send representatives to meet the Committee for more in-depth discussion of relevant issues, and welcomes voluntary briefings from interested Member States on their efforts to implement the measures referred to in paragraph 1 above, including particular challenges that hinder full implementation of the measures;

31. *Requests* the Committee to report to the Security Council on its findings regarding implementation efforts by Member States, and identify and recommend steps necessary to improve implementation;

32. *Directs* the Committee to identify possible cases of non-compliance with the measures pursuant to paragraph 1 above and to determine the appropriate course of action on each case, and requests the Chairman of the Committee, in periodic reports to the Council pursuant to paragraph 38 below, to provide progress reports on the work of the Committee on this issue;

33. *Urges* all Member States, in their implementation of the measures set out in paragraph 1 above, to ensure that fraudulent, counterfeit, stolen and lost passports and other travel

documents are invalidated and removed from circulation, in accordance with domestic laws and practices, as soon as possible, and to share information on those documents with other Member States through the INTERPOL database;

34. *Encourages* Member States to share with the private sector, in accordance with their domestic laws and practices, information in their national databases related to fraudulent, counterfeit, stolen and lost identity or travel documents pertaining to their own jurisdictions, and if a listed party is found to be using a false identity, including to secure credit or fraudulent travel documents, to provide the Committee with information in this regard;

Coordination and outreach

35. *Reiterates* the need to enhance ongoing cooperation among the Committee, the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism ("the Counter-Terrorism Committee"), and the Security Council Committee established pursuant to resolution 1540 (2004), as well as their respective groups of experts, including through, as appropriate, enhanced information-sharing, coordination on visits to countries within their respective mandates, on technical assistance, on relations with international and regional organizations and agencies and on other issues of relevance to all three Committees, and expresses its intention to provide guidance to the Committees on areas of common interest in order better to coordinate their efforts;

36. *Encourages* the Monitoring Team and the United Nations Office on Drugs and Crime to continue their joint activities, in cooperation with the Counter-Terrorism Committee Executive Directorate and experts of the Committee established pursuant to resolution 1540 (2004), to assist Member States in their efforts to comply with their obligations under the relevant resolutions, including by organizing subregional workshops;

37. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chairman and/or Committee members to enhance the full and effective implementation of the measures referred to in paragraph 1 above, with a view to encouraging States to comply fully with the present resolution and resolutions 1267 (1999), 1333 (2000), 1390 (2002), 1455 (2003), 1526 (2004), 1617 (2005) and 1735 (2006);

38. *Also requests* the Committee to report orally, through its Chairman, at least every one hundred and eighty days to the Council on the overall work of the Committee and the Monitoring Team and, as appropriate, in conjunction with the reports of the Chairmen of the Counter-Terrorism Committee and the Committee established pursuant to resolution 1540 (2004), including briefings for all interested Member States;

Monitoring Team

39. *Decides*, in order to assist the Committee in the fulfilment of its mandate, to extend the mandate of the current New York-based Monitoring Team, appointed by the Secretary-General pursuant to paragraph 20 of resolution 1617 (2005), for a further period of eighteen months, under the direction of the Committee, with the responsibilities outlined in the annex to the present resolution, and requests the Secretary-General to make the necessary arrangements to this effect;

Reviews

40. *Decides* to review the measures described in paragraph 1 above with a view to their possible further strengthening in eighteen months, or sooner if necessary;

41. *Decides also* to remain actively seized of the matter.

Adopted unanimously at the 5928th meeting.

Annex

In accordance with paragraph 39 of this resolution, the Monitoring Team shall operate under the direction of the Security Council Committee established pursuant to resolution 1267 (1999) and shall have the following responsibilities:

(*a*) To submit, in writing, two comprehensive, independent reports to the Committee, the first by 28 February 2009 and the second by 31 July 2009, on implementation by States of the measures referred to in paragraph 1 of this resolution, including specific recommendations for improved implementation of the measures and possible new measures;

(*b*) To analyse reports submitted pursuant to paragraph 6 of resolution 1455 (2003), the checklists submitted pursuant to paragraph 10 of resolution 1617 (2005) and other information submitted by Member States to the Committee as instructed by the Committee;

(*c*) To assist the Committee in following up on requests to Member States for information, including with respect to implementation of the measures referred to in paragraph 1 of this resolution;

(*d*) To submit a comprehensive programme of work to the Committee for its review and approval, as necessary, in which the Monitoring Team should detail the activities envisaged in order to fulfil its responsibilities, including proposed travel, based on close coordination with the Counter-Terrorism Committee Executive Directorate and the group of experts of the Committee established pursuant to resolution 1540 (2004) to avoid duplication and reinforce synergies;

(*e*) To work closely and share information with the Counter-Terrorism Committee Executive Directorate and the group of experts of the Committee established pursuant to resolution 1540 (2004) to identify areas of convergence and overlap and to help to facilitate concrete coordination, including in the area of reporting, among the three Committees;

(*f*) To participate actively in and support all relevant activities under the United Nations Global Counter-Terrorism Strategy,[320] including within the Counter-Terrorism Implementation Task Force established to ensure overall coordination and coherence in the counter-terrorism efforts of the United Nations system;

(*g*) To assist the Committee with its analysis of non-compliance with the measures referred to in paragraph 1 of this resolution by collating information collected from Member States and submitting case studies, both on its own initiative and upon the Committee's request, to the Committee for its review;

(*h*) To present to the Committee recommendations which could be used by Member States to assist them with the implementation of the measures referred to in paragraph 1 of this resolution and in preparing proposed additions to the Consolidated List;

(*i*) To assist the Committee in compiling publicly releasable information referred to in paragraph 13 of this resolution;

(*j*) To consult with Member States in advance of travel to selected Member States, based on its programme of work as approved by the Committee;

(*k*) To encourage Member States to submit names and additional identifying information for inclusion on the Consolidated List, as instructed by the Committee;

(*l*) To present to the Committee additional identifying and other information to assist the Committee in its efforts to keep the Consolidated List as updated and accurate as possible;

(*m*) To study and report to the Committee on the changing nature of the threat of Al-Qaida and the Taliban and the best measures to confront it, including by developing a dialogue with relevant scholars and academic bodies, in consultation with the Committee;

(*n*) To collate, assess, monitor and report on and make recommendations regarding implementation of the measures, including implementation of the measure in paragraph 1 (*a*) of

this resolution as it pertains to preventing the criminal misuse of the Internet by Al-Qaida, Osama bin Laden and the Taliban, and other individuals, groups, undertakings and entities associated with them; to pursue case studies, as appropriate; and to explore in depth any other relevant issues as directed by the Committee;

(*o*) To consult with Member States and other relevant organizations, including regular dialogue with representatives in New York and in capitals, taking into account their comments, especially regarding any issues that might be contained in the reports of the Monitoring Team referred to in paragraph (*a*) of this annex;

(*p*) To consult with Member States' intelligence and security services, including through regional forums, in order to facilitate the sharing of information and to strengthen enforcement of the measures;

(*q*) To consult with relevant representatives of the private sector, including financial institutions, to learn about the practical implementation of the assets freeze and to develop recommendations for the strengthening of that measure;

(*r*) To work with relevant international and regional organizations in order to promote awareness of, and compliance with, the measures;

(*s*) To work with INTERPOL and Member States to obtain photographs of listed individuals for possible inclusion in INTERPOL Special Notices;

(*t*) To assist other subsidiary bodies of the Security Council, and their expert panels, upon request, with enhancing their cooperation with INTERPOL, referred to in resolution 1699 (2006);

(*u*) To report to the Committee, on a regular basis or when the Committee so requests, through oral and/or written briefings on the work of the Monitoring Team, including its visits to Member States and its activities;

(*v*) Any other responsibility identified by the Committee.

THE SITUATION IN CÔTE D'IVOIRE[328]

Decisions

In a letter dated 19 October 2007,[329] the President of the Security Council informed the Secretary-General that his letter dated 17 October 2007[330] had been brought to the attention of the members of the Council and that they took note of the intention expressed therein.

At its 5765th meeting, on 22 October 2007, the Council decided to invite the representatives of Burkina Faso (Minister for Foreign Affairs, representing the President of Burkina Faso in his capacity as Facilitator of the Ouagadougou Political Agreement) and Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

> "Fourteenth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2007/593)".

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[328] Resolutions or decisions on this question were first adopted by the Security Council in 2002.

[329] The letter, which was issued as a Security Council document under the symbol S/2007/623, has been reproduced on page 34 of the present volume.

[330] S/2007/622.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Abou Moussa, Principal Deputy Special Representative of the Secretary-General for Côte d'Ivoire.

At its 5772nd meeting, on 29 October 2007, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

"Letter dated 17 October 2007 from the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire addressed to the President of the Security Council (S/2007/611)".

Resolution 1782 (2007)
of 29 October 2007

The Security Council,

Recalling its previous resolutions and the statements by its President relating to the situation in Côte d'Ivoire,

Reaffirming its strong commitment to respect for the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Taking note of the report of the Secretary-General of 1 October 2007[331] and the reports of the Group of Experts on Côte d'Ivoire of 11 June[332] and 21 September 2007,[333]

Recalling that it endorsed the agreement signed by President Laurent Gbagbo and Mr. Guillaume Soro at Ouagadougou on 4 March 2007 ("the Ouagadougou Political Agreement")[334] and that it has supported the appointment of Mr. Soro as Prime Minister,

Paying tribute again to the Chairperson of the Economic Community of West African States, President Blaise Compaoré of Burkina Faso ("the Facilitator"), for his continued efforts to facilitate the inter-Ivorian direct dialogue that led, in particular, to the signing of the Ouagadougou Political Agreement, and welcoming the appointment of Mr. Boureima Badini as Special Representative of the Facilitator in Abidjan,

Reiterating its strong condemnation of any attempt to destabilize the peace process by force, in particular the attack committed on 29 June 2007 in Bouaké against the Prime Minister of Côte d'Ivoire, Mr. Guillaume Soro, that resulted in several deaths, and stressing that the perpetrators of such criminal acts must be brought to justice,

Welcoming the initial measures to implement the Ouagadougou Political Agreement, recalling its request to the Ivorian parties to implement their commitments under the Agreement fully and in good faith, and urging them to take, without delay, the specific measures necessary to make progress, in particular in the identification and registration of voters, the disarmament and dismantling of militias, the disarmament, demobilization and reintegration programme, the unification and restructuring of the defence and security forces and the restoration of State authority throughout the country,

Recalling that the Special Representative of the Secretary-General for Côte d'Ivoire shall certify that all stages of the electoral process provide all the necessary guarantees for the holding

[331] S/2007/593.

[332] See S/2007/349, annex.

[333] See S/2007/611, annex.

[334] S/2007/144, annex.

of open, free, fair and transparent presidential and legislative elections in accordance with international standards,

Reiterating its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire, and recalling its resolutions 1460 (2003) of 30 January 2003 and 1612 (2005) of 26 July 2005 on children and armed conflict, and its resolution 1325 (2000) of 31 October 2000 on women and peace and security,

Recalling that the Security Council Committee established pursuant to paragraph 14 of resolution 1572 (2004) ("the Committee") will consider and decide upon requests for the exemptions set out in paragraphs 8, 10 and 12 of resolution 1572 (2004) which are submitted in accordance with the guidelines adopted by the Committee, and expressing the availability of the Committee and of the Group of Experts to give technical explanations as may be needed,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to renew until 31 October 2008 the provisions of paragraphs 7 to 12 of resolution 1572 (2004) of 15 November 2004 and paragraph 6 of resolution 1643 (2005) of 15 December 2005;

2. *Decides also* to review the measures imposed by resolution 1572 (2004), in particular paragraphs 7, 9 and 11 thereof, and by paragraph 6 of resolution 1643 (2005), and renewed in paragraph 1 above, in the light of progress achieved in the implementation of the key steps of the peace process as referred to in resolution 1765 (2007) of 16 July 2007, by the end of the period mentioned in paragraph 1 above, and decides further to carry out a review of the measures during the period mentioned in paragraph 1 above:

(*a*) Once the parties have fully implemented the Ouagadougou Political Agreement[334] and after the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards; or

(*b*) No later than 30 April 2008;

3. *Demands*, in particular, that the Ivorian authorities put an immediate end to any violation of measures imposed by paragraph 11 of resolution 1572 (2004), including those violations mentioned by the Group of Experts on Côte d'Ivoire in its report of 21 September 2007;[333]

4. *Reiterates its demand* that all Ivorian parties to the Ouagadougou Political Agreement, in particular the Ivorian authorities, provide unhindered access, in particular to the Group of Experts established pursuant to paragraph 9 of resolution 1643 (2005), to equipment, sites and installations referred to in paragraph 2 (*a*) of resolution 1584 (2005) of 1 February 2005, and to the United Nations Operation in Côte d'Ivoire and the French forces supporting it in order to enable them to carry out their respective mandates as set out in paragraphs 2 and 8 of resolution 1739 (2007) of 10 January 2007 and renewed in resolution 1765 (2007);

5. *Decides* that any serious obstacle to the freedom of movement of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it, or any attack or obstruction of the action of the United Nations Operation in Côte d'Ivoire, of the French forces, of the Special Representative of the Secretary-General for Côte d'Ivoire, of the Facilitator mentioned in paragraph 10 of resolution 1765 (2007) or of his Special Representative in Côte d'Ivoire shall constitute a threat to the peace and national reconciliation process for the purposes of paragraphs 9 and 11 of resolution 1572 (2004);

6. *Requests* the Secretary-General and the Government of France to report to the Security Council immediately, through the Committee, any serious obstacle to the freedom of movement of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it, including the names of those responsible, and requests the Special Representative of the Secretary-General, the Facilitator or his Special Representative in Côte d'Ivoire to report to the Council immediately, through the Committee, any attack or obstruction of their action;

7. *Requests* all States concerned, in particular those in the region, to cooperate fully with the Committee, and authorizes the Committee to request whatever further information it may consider necessary;

8. *Decides* to extend the mandate of the Group of Experts, as set out in paragraph 7 of resolution 1727 (2006) of 15 December 2006, until 31 October 2008, and requests the Secretary-General to take the necessary administrative measures;

9. *Urges* all the Ivorian parties and, in particular, the civilian and military authorities of Côte d'Ivoire, to collaborate more actively with the Group of Experts and to provide it with the information and documentation it requests with a view to fulfilling its mandate;

10. *Requests* the Group of Experts to provide a midterm report to the Committee by 15 April 2008 and to submit a final written report to the Council, through the Committee, fifteen days before the end of its mandated period, on the implementation of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005), as well as recommendations in this regard;

11. *Requests* the Secretary-General to communicate, as appropriate, to the Council, through the Committee, information gathered by the United Nations Operation in Côte d'Ivoire and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire;

12. *Requests* the Government of France to communicate, as appropriate, to the Council, through the Committee, information gathered by the French forces and, where possible, reviewed by the Group of Experts, concerning the supply of arms and related materiel to Côte d'Ivoire;

13. *Requests* the Kimberley Process to communicate, as appropriate, to the Council, through the Committee, information which, where possible, has been reviewed by the Group of Experts, concerning the production and illicit export of diamonds;

14. *Urges* all States, relevant United Nations bodies and other organizations and interested parties, including the Kimberley Process, to cooperate fully with the Committee, the Group of Experts, the United Nations Operation in Côte d'Ivoire and the French forces, in particular by supplying any information at their disposal on possible violations of the measures imposed by paragraphs 7, 9 and 11 of resolution 1572 (2004) and paragraph 6 of resolution 1643 (2005), and reiterated in paragraph 1 above;

15. *Underlines* that it is fully prepared to impose targeted measures against persons to be designated by the Committee who are determined to be, among other things:

(*a*) A threat to the peace and national reconciliation process in Côte d'Ivoire, in particular by blocking the implementation of the peace process as referred to in the Ouagadougou Political Agreement;

(*b*) Attacking or obstructing the action of the United Nations Operation in Côte d'Ivoire, of the French forces supporting it, of the Special Representative of the Secretary-General, of the Facilitator or of his Special Representative in Côte d'Ivoire;

(*c*) Responsible for obstacles to the freedom of movement of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it;

(*d*) Responsible for serious violations of human rights and international humanitarian law committed in Côte d'Ivoire;

(*e*) Publicly inciting hatred and violence;

(*f*) Acting in violation of the measures imposed by paragraph 7 of resolution 1572 (2004);

16. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5772nd meeting.

Decisions

In a letter dated 21 December 2007,[335] the President of the Security Council informed the Secretary-General that his letter dated 28 November 2007[336] had been brought to the attention of the members of the Council and that they concurred with his recommendation and also took note of the intention expressed therein.

At its 5820th meeting, on 15 January 2008, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

"Fifteenth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2008/1)".

Resolution 1795 (2008) of 15 January 2008

The Security Council,

Recalling its previous resolutions, in particular resolutions 1739 (2007) of 10 January 2007 and 1765 (2007) of 16 July 2007, and the statements by its President relating to the situation in Côte d'Ivoire,

Reaffirming its strong commitment to respect for the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the agreement signed by President Laurent Gbagbo and Mr. Guillaume Soro at Ouagadougou on 4 March 2007 ("the Ouagadougou Political Agreement"),[334] and that it has supported the appointment of Mr. Soro as Prime Minister,

Expressing again its appreciation to the Chairperson of the Economic Community of West African States, President Blaise Compaoré of Burkina Faso ("the Facilitator"), for his continued efforts to facilitate the inter-Ivorian direct dialogue that led, in particular, to the signing of the Ouagadougou Political Agreement, commending and encouraging the continued efforts of the African Union and the Economic Community of West African States to promote peace and stability in Côte d'Ivoire, and reiterating its full support for them,

Reiterating its strong condemnation of any attempt to destabilize the peace process by force, in particular the attack committed on 29 June 2007 in Bouaké against the Prime Minister of Côte d'Ivoire, Mr. Guillaume Soro, that resulted in several deaths, and stressing that the perpetrators of such criminal acts must be brought to justice,

Having taken note of the report of the Secretary-General of 2 January 2008,[337]

Reiterating its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire,

Recalling its resolution 1612 (2005) of 26 July 2005 on children and armed conflict and the subsequent conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties to the armed conflict in Côte d'Ivoire,[338]

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[335] The letter, which was issued as a Security Council document under the symbol S/2007/754, has been reproduced on page 37 of the present volume.

[336] S/2007/753.

[337] S/2008/1.

[338] S/2007/93, annex.

Recalling also its resolution 1325 (2000) of 31 October 2000 on women and peace and security and its resolution 1674 (2006) of 28 April 2006 on the protection of civilians in armed conflict,

Welcoming the establishment, as agreed by the parties at the meeting of the Evaluation and Monitoring Committee of 11 May 2007 and the Facilitator, of an international consultative organ to accompany the Ivorian political forces and the Facilitator in the implementation of the Ouagadougou Political Agreement, stressing the importance of this organ participating in the meetings of the Committee as an observer, and recalling that it may be consulted at any time by the Facilitator,

Welcoming also the success of the donors' round table of 18 July 2007, and emphasizing the importance of the continuing support of the United Nations system and the international community for strengthening the capacity of the Government of Côte d'Ivoire and of the electoral bodies in order to organize the presidential and legislative elections,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* the second and third agreements supplementary to the Ouagadougou Political Agreement ("the supplementary agreements") signed by President Laurent Gbagbo and Mr. Guillaume Soro at Ouagadougou on 28 November 2007 under the facilitation of President Blaise Compaoré of Burkina Faso;

2. *Takes note* of the recommendations of the African Union in this regard, endorses the supplementary agreements, calls upon the Ivorian parties to implement the supplementary agreements and the Ouagadougou Political Agreement[334] fully, in good faith and within the amended time frame set out in the agreements, which will require the Ivorian parties to redouble their efforts, and encourages the international community to bring continued support to this effect;

3. *Commends* the Facilitator for his continued efforts to support the peace process, and encourages the Ivorian parties to make further concrete progress, in particular in the identification of the Ivorian population and the registration of voters, the disarmament and dismantling of militias, the disarmament, demobilization and reintegration programme, the unification and restructuring of the defence and security forces and the restoration of State authority throughout the country;

4. *Decides* to renew the mandates of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it, as determined in resolution 1739 (2007), until 30 July 2008, in order to support the organization in Côte d'Ivoire of free, open, fair and transparent elections within the time frame set out in the Ouagadougou Political Agreement and the supplementary agreements;

5. *Requests* the United Nations Operation in Côte d'Ivoire, within its existing resources and mandate, to support the full implementation of the Ouagadougou Political Agreement and of the third supplementary agreement;

6. *Calls upon* all parties concerned to ensure that the protection of women and children is addressed in the implementation of the Ouagadougou Political Agreement as well as in the post-conflict reconstruction and recovery phases, including continued monitoring and reporting of the situation of women and children;

7. *Invites* the signatories to the Ouagadougou Political Agreement to take the necessary steps to protect vulnerable civilian populations, including by guaranteeing the voluntary return, reinstallation, reintegration and security of displaced persons, with the support of the United Nations system, and to fulfil in this regard their commitments in accordance with the Agreement and their obligations under international humanitarian law;

8. *Expresses its intention* to review by 30 July 2008 the mandates of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it, as well as the troop level of the United Nations Operation in Côte d'Ivoire, in the light of the progress achieved in the implementation of the key steps of the peace process, and requests the Secretary-General to provide to the Security Council a report on these key steps three weeks before that date;

9. *Gives its full support* to the efforts of the Special Representative of the Secretary-General for Côte d'Ivoire, and recalls that he shall certify that all stages of the electoral process provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards;

10. *Requests* the Secretary-General to keep the Council regularly informed, in particular on the preparation of the electoral process, including the registration of voters, and notably by providing to the Council a report in this regard no later than 15 April 2008, and welcomes the establishment by the United Nations Operation in Côte d'Ivoire of a certification support cell to assist the Special Representative in fulfilling this task;

11. *Also requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in the United Nations Operation in Côte d'Ivoire with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

12. *Recalls* the importance of the provisions of the Ouagadougou Political Agreement and of the supplementary agreements, including paragraph 8.1 of the Ouagadougou Political Agreement and paragraphs 8 and 9 of the third supplementary agreement, and urges the Ivorian political forces to rely on the mediation of the Facilitator for any major difficulty concerning the electoral process;

13. *Encourages* the Facilitator to continue to support the process to settle the crisis in Côte d'Ivoire, and requests the United Nations Operation in Côte d'Ivoire to continue to assist him and his Special Representative in Abidjan, Mr. Boureima Badini, in the conduct of the facilitation, including by helping the Facilitator, as appropriate and upon his request, to carry out his arbitration role in accordance with the provisions of paragraph 8.1 of the Ouagadougou Political Agreement and paragraphs 8 and 9 of the third supplementary agreement;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5820th meeting.

Decisions

At its 5880th meeting, on 29 April 2008, the Security Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

"Sixteenth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2008/250)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[339]

"The Security Council recalls that it endorsed the Ouagadougou Political Agreement[334] as well as its supplementary agreements.

"The Council warmly welcomes the approval by the Ivorian authorities of the proposal by the Independent Electoral Commission to organize presidential elections on 30 November

[339] S/PRST/2008/11.

2008. It underlines that this announcement, supported by all Ivorian parties, and the signing by President Laurent Gbagbo of related decrees, constitute an important step forward. The Council encourages the Ivorian parties to redouble their efforts to meet this commitment, and the international community to bring continued support to this effect.

"The Council commends the Facilitator, President Blaise Compaoré of Burkina Faso, for his continued efforts to support the peace process in Côte d'Ivoire, in particular through the Ouagadougou Political Agreement follow-up and consultation mechanisms. This support to the actions of President Laurent Gbagbo and Prime Minister Guillaume Soro, with the active engagement of the Special Representative of the Secretary-General for Côte d'Ivoire, Mr. Choi Young-Jin, has been instrumental towards achieving the establishment of a consensus among all political parties to hold presidential elections in 2008.

"The Council reaffirms its full support to the Special Representative and recalls that he shall certify that all stages of the electoral process provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards, consistent with paragraph 9 of resolution 1795 (2008). It fully supports, in particular, the five-criteria framework elaborated by Mr. Choi in this regard and welcomed by the Ivorian parties.

"The Council welcomes the visit of the Secretary-General to Burkina Faso and Côte d'Ivoire from 22 to 24 April 2008 and is encouraged by the signing, under the auspices of the Secretary-General, of a Code of Good Conduct for elections by all political parties.

"The Council welcomes the report of the Secretary-General of 15 April 2008.[340] It encourages the Ivorian parties to build on the ongoing mobile courts process for the identification of the Ivorian population and the registration of voters. The Council looks forward to the publication of the electoral list as a crucial step in the electoral process.

"The Council calls upon the parties to make concrete progress to promote political stability and security, in particular in the context of the forthcoming presidential elections, in such key areas as the disarmament and dismantling of militias, the disarmament, demobilization and reintegration programme, the storage of weapons, the unification and restructuring of the defence and security forces and the full restoration of State authority throughout the country.

"The Council takes note with appreciation of the support of bilateral and multilateral donors, in particular the Economic Community of West African States, the African Union and the European Union. It calls upon donors and the Government of Cote d'Ivoire to make further efforts to finance the electoral process, including through the trust fund established by the United Nations Development Programme to that effect, and calls upon the authorities of Côte d'Ivoire to engage fully with the donors. It also encourages the international community to enhance its financial support for the facilitation.

"The Council expresses its appreciation for the role played by the United Nations Operation in Côte d'Ivoire, supported by the French forces, in contributing to bring the security needed for the peace process and the logistical support required for the preparation of the elections. It welcomes the assessment made by the Secretary-General on the troop level of the United Nations Operation in Côte d'Ivoire in his report. The Council will review by 30 July 2008 the mandates of the United Nations Operation in Côte d'Ivoire and the French forces supporting it, as well as the troop level of the United Nations Operation in Côte d'Ivoire, in accordance with paragraph 8 of resolution 1795 (2008).

"The Council requests the Secretary-General to keep it regularly informed of the situation, including on the logistical support that the United Nations Operation in Côte d'Ivoire will provide for the elections."

[340] S/2008/250.

In a letter dated 30 May 2008, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Africa.[341]

At its 5945th meeting, on 29 July 2008, the Council decided to invite the representative of Côte d'Ivoire to participate, without vote, in the discussion of the item entitled:

"The situation in Côte d'Ivoire

"Seventeenth progress report of the Secretary-General on the United Nations Operation in Côte d'Ivoire (S/2008/451)".

Resolution 1826 (2008)
of 29 July 2008

The Security Council,

Recalling its previous resolutions, in particular resolutions 1739 (2007) of 10 January 2007, 1765 (2007) of 16 July 2007 and 1795 (2008) of 15 January 2008, and the statements by its President relating to the situation in Côte d'Ivoire, and resolution 1777 (2007) of 20 September 2007 on the situation in Liberia,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, and recalling the importance of the principles of good-neighbourliness, non-interference and regional cooperation,

Recalling that it endorsed the agreement signed by President Laurent Gbagbo and Mr. Guillaume Soro at Ouagadougou on 4 March 2007 ("the Ouagadougou Political Agreement"),[334] and the following supplementary agreements, as recommended by the African Union,

Recalling also that it welcomed the announcement by the Ivorian authorities of the organization on 30 November 2008 of the first round of the presidential elections[339] and that it encouraged the Ivorian parties to redouble their efforts to meet this commitment, and the international community to bring continued support to this effect,

Expressing again its appreciation to President Blaise Compaoré of Burkina Faso ("the Facilitator") for his continued efforts to support the peace process in Côte d'Ivoire, in particular through the Ouagadougou Political Agreement follow-up mechanisms, commending and encouraging the continued efforts of the African Union and the Economic Community of West African States to promote peace and stability in Côte d'Ivoire, and reiterating its full support for them,

Stressing again the importance of the international consultative organ participating in the meetings of the Evaluation and Monitoring Committee, as an observer, and recalling that it may be consulted at any time by the Facilitator,

Reiterating its strong condemnation of any attempt to destabilize the peace process by force, and expressing its intention to examine without delay the situation after any such attempt, on the basis of a report of the Secretary-General,

Having taken note of the report of the Secretary-General of 10 July 2008,[342]

Noting with concern, in spite of the sustained improvement of the overall human rights situation, the persistence of cases of human rights violations against civilians, including numerous acts of sexual violence, stressing that the perpetrators must be brought to justice, and reiterating its firm condemnation of all violations of human rights and international humanitarian law in Côte d'Ivoire,

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[341] The letter, which was issued as a Security Council document under the symbol S/2008/347, has been reproduced on page 55 of the present volume. The mission took place from 31 May to 10 June 2008 (see S/2008/460).

[342] S/2008/451.

Recalling its resolution 1612 (2005) of 26 July 2005 on children and armed conflict and the subsequent conclusions of the Security Council Working Group on Children and Armed Conflict pertaining to parties to the armed conflict in Côte d'Ivoire,[343]

Recalling also its resolutions 1325 (2000) of 31 October 2000 and 1820 (2008) of 19 June 2008 on women and peace and security, and its resolution 1674 (2006) of 28 April 2006 on the protection of civilians in armed conflict, condemning any sexual violence, and encouraging the Secretary-General to mainstream a gender perspective in the implementation of the mandate of the United Nations Operation in Côte d'Ivoire,

Emphasizing the importance of the continuing support of the United Nations system and the international community for strengthening the capacity of the Government of Côte d'Ivoire and of the electoral bodies to organize the electoral process,

Determining that the situation in Côte d'Ivoire continues to pose a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to renew the mandates of the United Nations Operation in Côte d'Ivoire and of the French forces supporting it, as determined in resolution 1739 (2007), until 31 January 2009, in particular to support the organization in Côte d'Ivoire of free, open, fair and transparent elections;

2. *Requests* the United Nations Operation in Côte d'Ivoire, within its existing resources and mandate, to support the full implementation of the Ouagadougou Political Agreement[334] and its supplementary agreements, and in particular to contribute to bringing the security needed by the peace process and by the electoral process and to provide logistical support to the Independent Electoral Commission for the preparation and the holding of the elections;

3. *Strongly encourages* the Defence and Security Forces of Côte d'Ivoire and the Forces nouvelles to jointly develop a comprehensive plan for the security of the elections, in close coordination with the Facilitator, with the technical and logistical support of the United Nations Operation in Côte d'Ivoire, which is supported by the French forces;

4. *Encourages* the Ivorian parties to make further concrete progress, in particular in removing the remaining logistical obstacles that impede the identification of the population, the registration of voters, the disarmament and dismantling of militias, the cantonment and disarmament, demobilization and reintegration programme, the unification and restructuring of defence and security forces and the restoration of State authority throughout the country;

5. *Urges* the political parties to comply fully with the Code of Good Conduct for elections which they signed under the auspices of the Secretary-General, and in particular urges the Ivorian authorities to allow equitable access to public media;

6. *Calls upon* all concerned parties to ensure that the protection of women and children is addressed in the implementation of the Ouagadougou Political Agreement as well as the post-conflict reconstruction and recovery phases, including continued monitoring and reporting of the situation of women and children;

7. *Stresses* the importance of ensuring the equal protection of and respect for the human rights of every Ivorian as they relate to the electoral system, and in particular of removing obstacles and challenges to the participation and full involvement of women in public life;

8. *Invites* the signatories to the Ouagadougou Political Agreement to take the necessary steps to protect vulnerable civilian populations, including by guaranteeing the voluntary return, reinstallation, reintegration and security of displaced persons, with the support of the United Nations system, and to fulfil in this regard their commitments in accordance with the Agreement and their obligations under international humanitarian law;

[343] S/AC.51/2008/5 and Corr.1.

9. *Expresses its intention* to review by 31 January 2009 the mandates of the United Nations Operation in Côte d'Ivoire and the French forces supporting it, as well as the troop level of the United Nations Operation in Côte d'Ivoire, in the light of the progress achieved in the implementation of the key steps of the peace process and of the progress of the electoral process, and requests the Secretary-General to provide to the Security Council a report in this regard three weeks before that date, including some benchmarks for a possible phased drawdown of the troop level of the United Nations Operation in Côte d'Ivoire, taking into consideration the electoral process and the situation on the ground and in particular the security conditions;

10. *Reiterates its full support* to the efforts of the Special Representative of the Secretary-General for Côte d'Ivoire, recalls that he shall certify that all stages of the electoral process provide all the necessary guarantees for the holding of open, free, fair and transparent presidential and legislative elections in accordance with international standards, and reaffirms its support to the five-criteria framework elaborated by the Special Representative and referred to in the report of the Secretary-General of 15 April 2008;[340]

11. *Recalls* that the publication of the electoral list is a crucial step in the electoral process, calls upon the Independent Electoral Commission, the technical operators, the authorities of Côte d'Ivoire and the political parties to redouble their efforts in this regard, and requests the Special Representative to certify it explicitly;

12. *Welcomes* the financial assistance provided by donors to the Independent Electoral Commission, which made it possible to finance the electoral process;

13. *Calls upon* the donors to increase, in particular, their financial support to the cantonment, disarmament and reintegration of former combatants and militia and to the redeployment of State administration throughout the country;

14. *Commends* the Special Representative for his efforts to facilitate the reinsertion of former combatants through the launching of one thousand microprojects, and encourages donors to contribute to their financing;

15. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in the United Nations Operation in Côte d'Ivoire with the United Nations zero-tolerance policy on sexual exploitation and abuses and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

16. *Recalls* the importance of the provisions of the Ouagadougou Political Agreement and of the supplementary agreements, including paragraph 8.1 of the Ouagadougou Political Agreement and paragraphs 8 and 9 of the third supplementary agreement, and urges the Ivorian political forces to rely on the mediation of the Facilitator for any major difficulty concerning the electoral process;

17. *Commends* the Facilitator for continuing to support the process to settle the crisis in Côte d'Ivoire, and requests the United Nations Operation in Côte d'Ivoire to continue to assist him and his Special Representative in Abidjan, Mr. Boureima Badini, in the conduct of the facilitation, including by helping the Facilitator, as appropriate and upon his request, to carry out his arbitration role in accordance with the provisions of paragraph 8.1 of the Ouagadougou Political Agreement and paragraphs 8 and 9 of the third supplementary agreement;

18. *Requests* the Secretary-General to keep the Council regularly informed of the situation and of the preparation of the electoral process, including the process of the establishment of the electoral list, and notably by providing to it a report in this regard, no later than 15 October 2008;

19. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5945th meeting.

SECURITY COUNCIL MISSION[344]

Decisions

In a letter dated 31 October 2007, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Timor-Leste.[345]

At its 5791st meeting, on 6 December 2007, the Council decided to invite the representative of Timor-Leste to participate, without vote, in the discussion of the item entitled:

"Security Council mission

"Briefing by the head of the Security Council mission to Timor-Leste".

At its 5801st meeting, on 13 December 2007, the Council decided to invite the representatives of Australia, Japan, New Zealand, the Philippines, Portugal and Timor-Leste to participate, without vote, in the discussion of the item entitled:

"Security Council mission

"Report of the Security Council mission to Timor-Leste, 24–30 November 2007 (S/2007/711)".

In a letter dated 30 May 2008, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Africa.[346]

At its 5915th meeting, on 18 June 2008, the Council considered the item entitled:

"Security Council mission

"Briefing by the Security Council mission to Africa (31 May to 10 June 2008)".

BRIEFINGS BY CHAIRMEN OF SUBSIDIARY BODIES OF THE SECURITY COUNCIL[347]

Decisions

At its 5779th meeting, on 14 November 2007, the Security Council decided to invite the representatives of Australia, Canada, Cuba, Liechtenstein, Portugal and Venezuela (Bolivarian Republic of) to participate, without vote, in the discussion of the item entitled "Briefings by Chairmen of subsidiary bodies of the Security Council".

At its 5806th meeting, on 17 December 2007, the Council considered the item discussed at the 5779th meeting.

At its 5886th meeting, on 6 May 2008, the Council decided to invite the representatives of Australia, Cuba, India, Israel, Japan, Qatar, Slovenia, the Syrian Arab Republic and Venezuela (Bolivarian Republic of) to participate, without vote, in the discussion of the item entitled "Briefings by Chairmen of subsidiary bodies of the Security Council".

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[344] Resolutions or decisions on this question were first adopted by the Security Council in 2003.

[345] The letter, which was issued as a Security Council document under the symbol S/2007/647, has been reproduced on page 27 of the present volume. The mission took place from 24 to 30 November 2007 (see S/2007/711).

[346] The letter, which was issued as a Security Council document under the symbol S/2008/347, has been reproduced on page 55 of the present volume. The mission took place from 31 May to 10 June 2008 (see S/2008/460).

[347] Resolutions or decisions on this question were first adopted by the Security Council in 2002.

CROSS-BORDER ISSUES IN WEST AFRICA[348]

Decisions

In a letter dated 31 August 2007,[349] the President of the Security Council informed the Secretary-General that his letter dated 27 August 2007[350] ha d been brought to the attention of the members of the Council and that they took note of the intentions and information contained therein.

In a letter dated 21 December 2007,[351] the President of the Security Council informed the Secretary-General that his letter dated 28 November 2007[352] had been brought to the attention of the members of the Council and that they concurred with his recommendation and also took note of the intention expressed therein.

In a letter dated 26 February 2008,[353] the President of the Security Council informed the Secretary-General that his letter dated 21 February 2008[354] had been brought to the attention of the members of the Council and that they took note of the intention expressed therein.

NON-PROLIFERATION OF WEAPONS OF MASS DESTRUCTION[355]

Decision

At its 5877th meeting, on 25 April 2008, the Security Council considered the item entitled "Non-proliferation of weapons of mass destruction".

Resolution 1810 (2008) of 25 April 2008

The Security Council,

Reaffirming its resolutions 1540 (2004) of 28 April 2004 and 1673 (2006) of 27 April 2006,

Reaffirming also that the proliferation of nuclear, chemical and biological weapons, as well as their means of delivery, constitutes a threat to international peace and security,

Reaffirming further the statement made by the President of the Security Council at the meeting of the Council held at the level of Heads of State and Government on 31 January 1992,[356] including the need for all Member States to fulfil their obligations in relation to arms control and disarmament and to prevent the proliferation in all its aspects of all weapons of mass destruction,

Reaffirming that prevention of the proliferation of nuclear, chemical and biological weapons should not hamper international cooperation in materials, equipment and technology for peaceful purposes, while goals of peaceful utilization should not be used as a cover for proliferation,

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[348] Resolutions or decisions on this question were first adopted by the Security Council in 2004.

[349] The letter, which was issued as a Security Council document under the symbol S/2007/523, has been reproduced on page 43 of the present volume.

[350] S/2007/522.

[351] The letter, which was issued as a Security Council document under the symbol S/2007/754, has been reproduced on page 37 of the present volume.

[352] S/2007/753.

[353] The letter, which was issued as a Security Council document under the symbol S/2008/128, has been reproduced on page 48 of the present volume.

[354] S/2008/127.

[355] Resolutions or decisions on this question were first adopted by the Security Council in 2004.

[356] S/23500.

Affirming its resolve to take appropriate and effective actions against any threat to international peace and security caused by the proliferation of nuclear, chemical and biological weapons and their means of delivery, in conformity with its primary responsibilities, as provided for in the Charter of the United Nations,

Reaffirming its decision that none of the obligations in resolution 1540 (2004) shall be interpreted so as to conflict with or alter the rights and obligations of State parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[357] the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction[358] and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction[359] or alter the responsibilities of the International Atomic Energy Agency or the Organization for the Prohibition of Chemical Weapons,

Noting that international cooperation between States, in accordance with international law, is required to counter the illicit trafficking by non-State actors in nuclear, chemical and biological weapons, their means of delivery, and related materials,

Endorsing the work already carried out by the Security Council Committee established pursuant to resolution 1540 (2004) (hereinafter "the 1540 Committee"), in accordance with its fifth programme of work,

Bearing in mind the importance of the report requested in paragraph 6 of resolution 1673 (2006),

Noting that not all States have presented to the 1540 Committee their national reports on implementation of resolution 1540 (2004), and that the full implementation of resolution 1540 (2004) by all States, including the adoption of national laws and measures to ensure implementation of these laws, is a long-term task that will require continuous efforts at the national, regional and international levels,

Recognizing, in that regard, the importance of dialogue between the 1540 Committee and Member States, and stressing that direct contact is an effective means of such dialogue,

Recognizing also the need to enhance the coordination of efforts at the national, subregional, regional and international levels, as appropriate, in order to strengthen a global response to this serious challenge and threat to international security,

Emphasizing, in that regard, the importance of providing States, in response to their requests, with effective assistance that meets their needs, and stressing the importance of ensuring that the clearing-house function for assistance is efficient and accessible,

Taking note of international efforts towards full implementation of resolution 1540 (2004), including on preventing the financing of proliferation-related activities, taking into consideration the guidance of the framework of the Financial Action Task Force,

Acting under Chapter VII of the Charter,

1. *Reiterates* its decisions taken in, and the requirements of, resolution 1540 (2004), and emphasizes the importance for all States to implement fully that resolution;

2. *Again calls upon* all States that have not yet presented a first report on steps they have taken or intend to take to implement resolution 1540 (2004) to submit such a report to the 1540 Committee without delay;

[357] United Nations, *Treaty Series*, vol. 729, No. 10485.

[358] Ibid., vol. 1974, No. 33757.

[359] Ibid., vol. 1015, No. 14860.

3. *Encourages* all States that have submitted such reports to provide, at any time or upon the request of the 1540 Committee, additional information on their implementation of resolution 1540 (2004);

4. *Encourages* all States to prepare on a voluntary basis summary action plans, with the assistance of the 1540 Committee as appropriate, mapping out their priorities and plans for implementing the key provisions of resolution 1540 (2004), and to submit those plans to the 1540 Committee;

5. *Encourages* States that have requests for assistance to convey them to the 1540 Committee, and encourages them to make use of the 1540 Committee's assistance template to that effect; urges States and international, regional and subregional organizations to inform the 1540 Committee, as appropriate, by 25 June 2008 of areas in which they are able to provide assistance; and calls upon States and such organizations, if they have not done so previously, to provide the 1540 Committee with a point of contact for assistance by 25 June 2008;

6. *Decides* to extend the mandate of the 1540 Committee for a period of three years, with the continued assistance of experts, until 25 April 2011;

7. *Requests* the 1540 Committee to complete its report, as set out in paragraph 6 of resolution 1673 (2006), and to submit it to the Security Council as soon as possible but no later than 31 July 2008;

8. *Also requests* the 1540 Committee to consider a comprehensive review of the status of implementation of resolution 1540 (2004) and to report to the Council on its consideration of the matter no later than 31 January 2009;

9. *Decides* that the 1540 Committee shall submit an annual programme of work to the Council before the end of January of each year;

10. *Also decides* that the 1540 Committee shall continue to intensify its efforts to promote the full implementation by all States of resolution 1540 (2004), through its programme of work, which includes the compilation of information on the status of implementation by States of all aspects of resolution 1540 (2004), outreach, dialogue, assistance and cooperation, and which addresses, in particular, all aspects of paragraphs 1 and 2 of that resolution, as well as of paragraph 3, which encompasses (*a*) accountability, (*b*) physical protection, (*c*) border controls and law enforcement efforts, and (*d*) national export and trans-shipment controls, including controls on providing funds and services, such as financing, to such export and trans-shipment;

11. *Further decides*, in that regard:

(*a*) To encourage the pursuit of the ongoing dialogue between the 1540 Committee and States on their further actions to implement fully resolution 1540 (2004) and on technical assistance needed and offered;

(*b*) To request the 1540 Committee to continue to organize and participate in outreach events at the regional, subregional and, as appropriate, national levels promoting the implementation by States of resolution 1540 (2004);

(*c*) To urge the 1540 Committee to continue strengthening its role in facilitating technical assistance for the implementation of resolution 1540 (2004), including by engaging actively in matching offers and requests for assistance through such means as assistance templates, action plans or other information submitted to the 1540 Committee;

(*d*) To encourage the 1540 Committee to engage actively with States and relevant international, regional and subregional organizations to promote the sharing of experience and lessons learned in the areas covered by resolution 1540 (2004), and to liaise on the availability of programmes which might facilitate the implementation of resolution 1540 (2004);

(*e*) To request the 1540 Committee to provide opportunities for interaction with interested States and relevant international, regional and subregional organizations to promote the implementation of resolution 1540 (2004);

12. *Reiterates* the need to enhance ongoing cooperation between the 1540 Committee, the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities, and the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism, including through, as appropriate, enhanced information-sharing, coordination on visits to countries, within their respective mandates, technical assistance and other issues of relevance to all three Committees, and expresses its intention to provide guidance to the Committees on areas of common interest in order better to coordinate their efforts;

13. *Urges* the 1540 Committee to encourage and take full advantage of voluntary financial contributions to assist States in identifying and addressing their needs for the implementation of resolution 1540 (2004), and requests the 1540 Committee to consider options for developing and making more effective existing funding mechanisms and to report to the Council on its consideration of the matter no later than 31 December 2008;

14. *Decides* that the 1540 Committee shall submit to the Council no later than 24 April 2011 a report on compliance with resolution 1540 (2004) through the achievement of the implementation of its requirements;

15. *Also decides* to remain seized of the matter.

Adopted unanimously at the 5877th meeting.

REPORTS OF THE SECRETARY-GENERAL ON THE SUDAN[360]

Decisions

On 7 September 2007, the President of the Security Council addressed the following letter to the Secretary-General:[361]

> "I have the honour to inform you that your letter dated 3 September 2007 concerning your intention to appoint Mr. Ashraf Jehangir Qazi, of Pakistan, as your Special Representative for the Sudan[362] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5750th meeting, on 28 September 2007, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

Resolution 1779 (2007) of 28 September 2007

The Security Council,

Recalling its previous resolutions concerning the situation in the Sudan, in particular resolutions 1556 (2004) of 30 July 2004, 1591 (2005) of 29 March 2005, 1651 (2005) of 21 December 2005, 1665 (2006) of 29 March 2006, 1672 (2006) of 25 April 2006, 1713 (2006) of 29 September 2006 and 1769 (2007) of 31 July 2007, and the statements by its President concerning the Sudan,

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[360] Resolutions or decisions on this question were first adopted by the Security Council in 2004.

[361] S/2007/532.

[362] S/2007/531.

Stressing again its firm commitment to the cause of peace throughout the Sudan, full implementation of the Comprehensive Peace Agreement of 9 January 2005, [363] full implementation of the framework agreed between the parties for a resolution of the conflict in Darfur (the Darfur Peace Agreement), and an end to the violence and atrocities in Darfur,

Reiterating its belief in the basis provided by the Darfur Peace Agreement for a lasting political solution and sustained security in Darfur, deploring the fact that the Agreement has not been fully implemented by the signatories and has not been signed by all parties to the conflict in Darfur,

Noting with strong concern the ongoing violence, impunity and consequent deterioration of the humanitarian situation, reiterating its deep concern about the security of civilians and humanitarian aid workers and about humanitarian access to populations in need, and calling upon all parties in Darfur to cease offensive actions immediately and to refrain from further violent attacks,

Demanding that there should be no aerial bombings and use of United Nations markings on aircraft used in such attacks, strongly urging those parties that have not yet agreed to participate in negotiations on 27 October 2007 in the Libyan Arab Jamahiriya under African Union-United Nations mediation to do so at once, and demanding that the parties to the conflict exercise restraint and cease military action in order to create a positive atmosphere for these negotiations,

Commending the efforts of, and reiterating its full support for, the African Union, the Secretary-General, their special envoys and the leaders of the region to promote peace and stability in Darfur, looking forward to the rapid deployment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID), and expressing strong support for the political process under African Union-United Nations mediation,

Recalling the midterm briefing of 13 April 2007 by the Panel of Experts appointed by the Secretary-General pursuant to paragraph 3 (*b*) of resolution 1591 (2005) and extended by resolutions 1651 (2005), 1665 (2006) and 1713 (2006), taking note of the final report of the Panel, [364] presented to the Security Council Committee established pursuant to resolution 1591 (2005) and currently under consideration, and expressing its intention to study the recommendations of the Panel further and to consider appropriate next steps,

Emphasizing the need to respect the provisions of the Charter of the United Nations concerning privileges and immunities, and the Convention on the Privileges and Immunities of the United Nations, [365] as applicable to United Nations operations and persons engaged in such operations,

Reaffirming its commitment to the sovereignty, unity, independence and territorial integrity of the Sudan, and recalling the importance of the principles of good-neighbourliness, non-interference and cooperation in the relations among States in the region,

Determining that the situation in the Sudan continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter,

1. *Decides* to extend until 15 October 2008 the mandate of the current Panel of Experts, originally appointed pursuant to resolution 1591 (2005) and previously extended by resolutions 1651 (2005), 1665 (2006) and 1713 (2006), and requests the Secretary-General to take the necessary administrative measures;

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[363] S/2005/78, annex.

[364] See S/2007/584, annex.

[365] General Assembly resolution 22 A (I).

2. *Requests* the Panel of Experts to provide, no later than 29 March 2008, a midterm briefing on its work and, no later than ninety days after the adoption of the present resolution, an interim report to the Security Council Committee established pursuant to paragraph 3 (*a*) of resolution 1591 (2005) and, no later than thirty days prior to the termination of its mandate, a final report to the Council with its findings and recommendations;

3. *Also requests* the Panel of Experts to coordinate its activities, as appropriate, with the operations of the African Union Mission in the Sudan, the African Union-United Nations Hybrid Operation in Darfur (UNAMID) which will succeed it, and with international efforts to promote the political process in Darfur, and in this context further requests the Panel to assess in its interim and final reports progress towards reducing violations by all parties of the measures imposed by paragraphs 7 and 8 of resolution 1556 (2004) and paragraph 7 of resolution 1591 (2005), and progress towards reducing impediments to the political process;

4. *Urges* all States, relevant United Nations bodies, the African Union and other interested parties to cooperate fully with the Committee and the Panel of Experts, in particular by supplying any information at their disposal on implementation of the measures imposed by resolutions 1556 (2004) and 1591 (2005);

5. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5750th meeting.

Decisions

At its 5752nd meeting, on 2 October 2007, the Security Council considered the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[366]

> "The Security Council was briefed on 1 October 2007 on the recent attack on African Union peacekeepers in Haskanita, South Darfur, Sudan, reportedly committed by a rebel group. The Council condemns this murderous attack and demands that no effort be spared so that the perpetrators are identified and brought to justice.
>
> "The Council deplores the loss of life and injuries that resulted from this attack, and conveys its sympathy to the Governments, families and colleagues of those killed and injured.
>
> "The Council reiterates its support for the African Union Mission in the Sudan and commends the dedication of its personnel, and expresses its appreciation for those countries which contribute troops to the Mission.
>
> "The Council recalls the demand on all parties made in resolution 1769 (2007) for an immediate cessation of hostilities and attacks on the Mission, civilians and humanitarian agencies. The Council insists that all parties in the Sudan comply with this demand and cooperate fully with the deployment of the United Nations light and heavy support packages to the Mission, and with the African Union-United Nations Hybrid Operation in Darfur (UNAMID).
>
> "The Council deplores the fact that this attack took place on the eve of the peace talks starting on 27 October 2007 in Tripoli, under the chairmanship of the United Nations and the African Union. The Council underlines that any attempt to undermine the peace process is unacceptable."

At its 5768th meeting, on 24 October 2007, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

[366] S/PRST/2007/35.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[367]

"The Security Council stresses the urgent need for an inclusive and sustainable political settlement in Darfur and strongly welcomes, in this regard, the convening of peace talks on 27 October 2007 in Sirte, Libyan Arab Jamahiriya, under the leadership of the United Nations Special Envoy for Darfur, Mr. Jan Eliasson, and the African Union Special Envoy for Darfur, Mr. Salim Ahmed Salim, who have the full support of the Council.

"The Council expresses its strong concern at the continuing deterioration in the security and humanitarian situation in Darfur and urges all parties to exercise restraint immediately, avoiding retaliation and escalation.

"The Council calls upon all parties to attend and to engage fully and constructively in the talks, and, as a first step, to urgently agree upon and implement a cessation of hostilities to be overseen by the United Nations and the African Union. The Council underlines its willingness to take action against any party that seeks to undermine the peace process, including by failing to respect such a cessation of hostilities or by impeding the talks, peacekeeping or humanitarian aid. The Council also recognizes that due process must take its course.

"The Council underlines that an inclusive political settlement and the successful deployment of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) are essential for re-establishing peace and stability in Darfur. The Council expresses its deep concern at the delays in deploying UNAMID. The Council calls, in this regard, for Member States to urgently make available the aviation and ground transport units still required for UNAMID and for all parties to facilitate and expedite the effective deployment of UNAMID.

"The Council requests the Secretary-General, in his regular 30-day reports to the Council on UNAMID, to also report on progress being made on, and any obstacles to, the political process and the situation on the ground."

At its 5774th meeting, on 31 October 2007, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the Sudan (S/2007/624)".

Resolution 1784 (2007)
of 31 October 2007

The Security Council,

Recalling all its resolutions and the statements by its President concerning the situation in the Sudan,

Recalling also its resolution 1674 (2006) of 28 April 2006 on the protection of civilians in armed conflict, in which it reaffirms, inter alia, the relevant provisions of the 2005 World Summit Outcome,[368] resolution 1612 (2005) of 26 July 2005 on children and armed conflict, resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel and resolution 1325 (2000) of 31 October 2000 on women and peace and security,

Reaffirming its commitment to the sovereignty, unity, independence and territorial integrity of the Sudan and to the cause of peace,

[367] S/PRST/2007/41.

[368] See General Assembly resolution 60/1.

Urging the parties to meet their outstanding commitments to implement the Comprehensive Peace Agreement of 9 January 2005,[363] noting in particular the delay in achieving the full and verified redeployment of forces by 9 July 2007 and urging such redeployment, and noting the need for further progress in the demarcation of the north-south border and the implementation of the Resolution of the Abyei Conflict,[363]

Recalling the commitment of the international community to support the Comprehensive Peace Agreement process, including through development aid, and calling upon donors to support the implementation of the Agreement, including by putting in place the Oslo conference pledges of 2005,

Urging the Government of National Unity to take all necessary steps to prepare for the conduct of free and fair elections, including by committing its share of necessary resources for the conduct of a national census, and further urging the international community to provide technical and material assistance for electoral preparations, including for the national census,

Welcoming the continuing organized returns of internally displaced persons from Khartoum to Southern Kordofan and Southern Sudan and that of refugees from countries of asylum to Southern Sudan, and encouraging the promotion of efforts, including the provision of necessary resources to the Office of the United Nations High Commissioner for Refugees and implementing partners, to ensure that such returns are sustainable,

Commending the work of the United Nations Mission in the Sudan in support of the Comprehensive Peace Agreement, and commending the continued commitment by troop-contributing countries in support of the Mission,

Welcoming the appointment by the Secretary-General of Mr. Ashraf Jehangir Qazi as his Special Representative for the Sudan and of Ms. Ameerah Haq as his Deputy Special Representative and United Nations Resident Coordinator and Humanitarian Coordinator,

Reiterating its concern over the restrictions and all the impediments placed on the movements of Mission personnel and materiel, and the adverse impact that such restrictions and impediments have on the ability of the Mission to perform its mandate effectively and on the ability of the humanitarian community to reach affected persons, and calling upon all the parties to abide by their international obligations in this regard, as well as those set out in the status-of-forces agreement,

Commending the efforts of the Mission in Darfur and its facilitation of the assumption by the African Union-United Nations Hybrid Operation in Darfur (UNAMID) of responsibility for peacekeeping in Darfur,

Recognizing that successful implementation of the Comprehensive Peace Agreement is essential to resolution of the crisis in Darfur and to sustainable peace and stability in the region, condemning the acts of violence perpetrated by all sides, and calling for the rapid deployment of the United Nations light and heavy support packages for the African Union Mission in the Sudan, the full deployment of UNAMID and the protection of humanitarian workers,

Taking note of the report of the Secretary-General of 23 October 2007 on the Sudan,[369] the report of the Secretary-General of 29 August 2007 on children and armed conflict in the Sudan,[370] and the report of the Security Council mission to the Sudan in June 2007,[371]

Determining that the situation in the Sudan continues to constitute a threat to international peace and security,

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[369] S/2007/624.

[370] S/2007/520.

[371] See S/2007/421 and Corr.1.

1. *Decides* to extend the mandate of the United Nations Mission in the Sudan until 30 April 2008, with the intention to renew it for further periods;

2. *Requests* the Secretary-General to report to the Security Council every three months on the implementation of the mandate of the Mission, progress on implementation of the Comprehensive Peace Agreement,[363] and respect for the ceasefire;

3. *Stresses* the importance of full and expeditious implementation of all elements of the Comprehensive Peace Agreement, the N'djamena Humanitarian Ceasefire Agreement, the Darfur Peace Agreement and the Eastern Sudan Peace Agreement of 14 October 2006, and calls for all the parties to respect their commitments to these agreements without delay;

4. *Stresses also* the critical role of the Assessment and Evaluation Commission in overseeing and reporting on implementation of the Comprehensive Peace Agreement, calls for the strengthening of the Commission's autonomy, and looks forward to the production of the interim report and recommendations of the Commission in January 2008;

5. *Calls for* all parties to agree immediately to full unrestricted monitoring and verification by the Mission in the Abyei region, without prejudice to the final agreement on the actual borders between the two sides;

6. *Urges* the Mission to continue its efforts, consistent with its mandate, to assess progress in the redeployment of forces, in particular in the areas of Unity, Upper Nile, Southern Kordofan, Abyei and Blue Nile, and to reinforce its ability to assist the parties in reducing tension in areas of potential conflict between them, and further urges the parties immediately to speed up efforts towards the completion of the redeployment of forces;

7. *Calls upon* the parties to take steps to reduce tensions in the Abyei region, including by redeploying their forces away from the disputed border of 1 January 1956 and by implementing an interim administration and agreeing upon boundaries, and expresses support for the Mission, consistent with its mandate and in accordance with the Comprehensive Peace Agreement, in assisting the parties to monitor such arrangements as they may make in this regard, including by deploying Mission personnel to areas from which forces may be withdrawn;

8. *Recalls* the mandate of the Mission to liaise with bilateral donors on the formation of Joint Integrated Units, requests the Mission to come up with a plan of support with the Joint Defence Board, further urges donors to offer support, via the Mission, to enable the full establishment of Joint Integrated Units as soon as possible, and further urges the Mission to assist in voluntary disarmament and weapons collection and destruction efforts in implementation of plans under the Comprehensive Peace Agreement for disarmament, demobilization and reintegration;

9. *Urges* the Mission, consistent with its mandate and in coordination with the relevant parties, to increase its support for the National Disarmament, Demobilization and Reintegration Coordination Council and the Northern and Southern Sudan Disarmament, Demobilization and Reintegration Commissions, and further urges donors to respond to calls for assistance from the joint United Nations Disarmament, Demobilization and Reintegration Unit;

10. *Recalls* the mandate of the Mission to provide guidance and technical assistance to support the preparations for the conduct of elections and referendums provided for by the Comprehensive Peace Agreement, and urges the Mission to continue its efforts in this regard, including by providing technical and logistical support for the national census, in coordination with the Government of National Unity and with other relevant United Nations offices;

11. *Calls for* the Mission to support reconciliation in all its aspects, emphasizing the role of women and civil society, and to work with the United Nations Development Programme and other agencies;

12. *Calls upon* the parties to the Comprehensive Peace Agreement and the communiqué signed by the United Nations and the Government of National Unity at Khartoum on 28 March 2007 to support, protect and facilitate all humanitarian operations in the Sudan;

13. *Recalls* the role of the United Nations Mission in the Sudan in facilitating the deployment of the United Nations light and heavy support packages for the African Union Mission in the Sudan, and calls upon the Government of National Unity and all other parties to cooperate fully with this deployment and with the deployment of all components of the African Union-United Nations Hybrid Operation in Darfur (UNAMID);

14. *Calls upon* the Government of National Unity to cooperate fully with all United Nations operations within its territory in the implementation of their mandates;

15. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in the United Nations Mission in the Sudan with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

16. *Also requests* the Secretary-General to include in his next three-month report to the Council:

(*a*) An assessment of progress in the implementation of plans under the Comprehensive Peace Agreement for disarmament, demobilization and reintegration, and to set out the key points of a strategy for achieving further progress, including benchmarks against which such progress can be measured and, specifically, the role of the Mission at the various stages of implementation; and

(*b*) An assessment of whether any changes to the mandate of the Mission may be needed to enhance its ability to assist the parties in the implementation of the Agreement;

17. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5774th meeting.

Decisions

At its 5784th meeting, on 27 November 2007, the Security Council decided to invite the representative of the Sudan to participate, without vote, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur (S/2007/653)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Jan Eliasson, United Nations Special Envoy for Darfur, and Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 5789th meeting, on 5 December 2007, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court.

In a letter dated 6 December 2007,[372] the President of the Security Council informed the Secretary-General that his letter dated 21 November 2007[373] had been brought to the attention of the members of the Council and that they took note of the information and proposal contained therein.

At its 5817th meeting, on 9 January 2008, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur (S/2007/759 and Corr.1)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At its 5818th meeting, on 11 January 2008, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur (S/2007/759 and Corr.1)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[374]

"The Security Council condemns in the strongest possible terms the attack on 7 January 2008 by elements of the Sudanese Armed Forces, as confirmed by the African Union-United Nations Hybrid Operation in Darfur (UNAMID), on a UNAMID supply convoy. The Council stresses that any attack on or threat against UNAMID is unacceptable, and demands that there be no recurrence of attacks on UNAMID. The Council welcomes the commitment of the Government of the Sudan to undertake a complete and full investigation into the incident, together with the United Nations and the African Union.

"The Council welcomes the transition of authority from the African Union peacekeeping operation, the African Union Mission in the Sudan, to UNAMID, which occurred on 31 December 2007. The Council commends the Mission for its prompt action to begin to re-establish peace and security in Darfur.

"The Council calls upon the Government of the Sudan to expedite full compliance with Council resolution 1769 (2007), including by concluding all the necessary arrangements for the expeditious deployment of an effective UNAMID force.

"The Council further urges the Government of the Sudan and all armed groups to respect an immediate and complete ceasefire and demands that all parties cooperate fully with the deployment of UNAMID and respect its security and freedom of movement.

"The Council reiterates that an inclusive political settlement and the successful deployment of UNAMID are essential for re-establishing peace and stability in Darfur. The Council urges all parties, including rebel groups, to engage fully and constructively in the political process under the leadership of the United Nations Special Envoy for Darfur, Mr. Jan Eliasson, and the African Union Special Envoy for Darfur, Mr. Salim Ahmed Salim, who have the full support of the Council. The Council expresses its readiness to take action against any party that impedes the peace process, humanitarian aid or the deployment of UNAMID. The Council also recognizes that due process must take its course.

[372] The letter, which was issued as a Security Council document under the symbol S/2007/720, has been reproduced on page 113 of the present volume.

[373] S/2007/719.

[374] S/PRST/2008/1.

"The Council expresses concern about the deterioration of security and humanitarian conditions in Darfur and calls upon the United Nations and all Member States to facilitate the rapid and complete deployment of UNAMID. The Council urges capable Member States to contribute the helicopter and transportation units necessary to ensure the successful implementation of the mandate of UNAMID."

At its 5832nd meeting, on 8 February 2008, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Jan Eliasson, United Nations Special Envoy for Darfur, and Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mrs. Lila Hanitra Ratsifandrihamanana, Permanent Observer of the African Union to the United Nations.

At its 5840th meeting, on 19 February 2008, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the Sudan (S/2008/64)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ashraf Jehangir Qazi, Special Representative of the Secretary-General for the Sudan.

At its 5849th meeting, on 11 March 2008, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur (S/2008/98)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations.

At its 5872nd meeting, on 22 April 2008, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur (S/2008/196)

"Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur (S/2008/249)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Rodolphe Adada, Joint African Union-United Nations Special Representative for Darfur, and Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

At its 5882nd meeting, on 30 April 2008, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the Sudan (S/2008/267)".

Resolution 1812 (2008) of 30 April 2008

The Security Council,

Recalling all its resolutions and the statements by its President concerning the situation in the Sudan,

Recalling also its resolution 1674 (2006) of 28 April 2006 on the protection of civilians in armed conflict, in which it reaffirms, inter alia, the relevant provisions of the 2005 World Summit Outcome,[368] its resolution 1612 (2005) of 26 July 2005 on children and armed conflict, its resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel and its resolution 1325 (2000) of 31 October 2000 on women and peace and security,

Reaffirming its commitment to the sovereignty, unity, independence and territorial integrity of the Sudan and to the cause of peace,

Commending the work of the United Nations Mission in the Sudan in support of the Comprehensive Peace Agreement of 9 January 2005,[363] commending also the continued commitment of troop-contributing countries in support of the Mission, and commending further the efforts of the Mission in assisting in the transition of the African Union Mission in the Sudan to the African Union-United Nations Hybrid Operation in Darfur (UNAMID),

Recognizing that successful implementation of the Comprehensive Peace Agreement is essential to the resolution of the crisis in Darfur and to sustainable peace and stability in the region, and condemning acts of violence perpetrated by all sides,

Taking note of the report of the Secretary-General of 22 April 2008 on the Sudan,[375] including his recommendations, taking note also of the report of the Secretary-General of 29 August 2007 on children and armed conflict in the Sudan,[370] and recalling the conclusions on children and armed conflict in the Sudan endorsed by the Security Council,[376]

Welcoming the appointment of Sir Derek Plumbly as the new Chairman of the Assessment and Evaluation Commission,

Recalling the commitment of the international community to support the Comprehensive Peace Agreement process, including through development aid, and urging donors to support the implementation of the Agreement and to honour all pledges to this end,

Recalling also the need for the United Nations Mission in the Sudan to make full use of its current mandate and capabilities with regard to the activities of militias and armed groups such as the Lord's Resistance Army in the Sudan, as stated in resolution 1663 (2006) of 24 March 2006,

Welcoming the mediation efforts of the Government of Southern Sudan to bring an end to the 22-year conflict between the Lord's Resistance Army and the Government of Uganda, and urging the parties to reach a resolution,

Welcoming also the start of the national census on 22 April 2008 as a significant milestone in the implementation of the Comprehensive Peace Agreement, and urging the continued support of a fair and inclusive census and acceptance of the results by all the parties,

Determining that the situation in the Sudan continues to constitute a threat to international peace and security,

1. *Decides* to extend the mandate of the United Nations Mission in the Sudan until 30 April 2009, with the intention to renew it for further periods;

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[375] S/2008/267.

[376] S/AC.51/2008/7.

2. *Requests* the Secretary-General to report to the Security Council every three months on the implementation of the mandate of the Mission, progress on implementation of the Comprehensive Peace Agreement[363] and respect for the ceasefire, and to provide an assessment and recommendations on measures that the Mission might take to further support elections and to advance the peace process;

3. *Stresses* the importance of full and expeditious implementation of all elements of the Comprehensive Peace Agreement, the Darfur Peace Agreement and the Eastern Sudan Peace Agreement of 14 October 2006, and calls for all the parties to respect their commitments to these agreements without delay;

4. *Welcomes* the sustained commitment of the parties to work together in the Government of National Unity, and urges the cooperation of the National Congress Party and the Sudan People's Liberation Movement in carrying out their responsibilities to further implement the Comprehensive Peace Agreement;

5. *Stresses* the critical role of the Assessment and Evaluation Commission in overseeing and reporting on the implementation of the Comprehensive Peace Agreement, calls for strengthening of the Commission's autonomy, and urges all parties to cooperate fully with the Commission and to implement its recommendations;

6. *Calls for* all parties to cooperate with full unrestricted monitoring and verification by the Mission in the Abyei region, without prejudice to the final agreement on the actual borders between the two sides, and urges the Mission to consult with the parties, and to deploy, as appropriate, personnel to the Abyei region, including areas of Kordofan;

7. *Calls upon* the parties to address and find a mutually agreeable solution to the Abyei issue, and further urges all parties to redeploy their forces away from the disputed border of 1 January 1956 and fully establish an interim administration in Abyei in accordance with the Comprehensive Peace Agreement;

8. *Requests* the Mission, acting within its current mandate and within its current means and capabilities, to provide technical and logistical support, as requested, to help the parties in the process of demarcation of the north/south border of 1956, in accordance with the Comprehensive Peace Agreement;

9. *Stresses* the important role of the Joint Integrated Units for the full implementation of the Comprehensive Peace Agreement, and urges donors to offer support, both materiel and training, coordinated by the Mission in consultation with the Joint Defence Board, to enable the full establishment and operational effectiveness of the Joint Integrated Units as soon as possible;

10. *Welcomes* the adoption of the National Strategic Plan for Disarmament, Demobilization and Reintegration, encourages the parties to agree swiftly on a date to launch its implementation, takes note of the benchmarks proposed by the Secretary-General in this regard,[375] and urges the Mission, consistent with its mandate, to assist in voluntary disarmament and weapons collection and destruction efforts in implementation of plans under the Comprehensive Peace Agreement for disarmament, demobilization and reintegration;

11. *Requests* the Mission, consistent with its mandate and in coordination with the relevant parties, and taking into account the need to pay particular attention to the protection, release and reintegration of all children associated with armed forces and armed groups, to increase its support for the National Disarmament, Demobilization and Reintegration Coordination Council and the Northern and Southern Sudan Disarmament, Demobilization and Reintegration Commissions;

12. *Further urges* donors to respond to calls for assistance from the joint United Nations Disarmament, Demobilization and Reintegration Unit;

13. *Encourages* the Mission, consistent with its mandate, and within authorized levels of civilian police, to continue efforts to assist the parties to the Comprehensive Peace Agreement in

promoting the rule of law and in restructuring the police and corrections services in the Sudan, including in Southern Sudan, and to assist in the training of civilian police and corrections officers;

14. *Urges* the Government of National Unity to complete the conduct of an inclusive national census and to prepare expeditiously for the conduct of free and fair elections in all of the Sudan;

15. *Urges* the Mission, consistent with its mandate, to begin immediate preparations to support the conduct of national elections, including support for the development of a national strategy for the conduct of elections in close collaboration with the United Nations Development Programme and the parties to the Comprehensive Peace Agreement, and further urges the international community to provide technical and material assistance for electoral preparations;

16. *Encourages* the Mission, consistent with its mandate, to assist the parties to the Comprehensive Peace Agreement in addressing the need for a national inclusive approach towards reconciliation and peacebuilding, emphasizing, in particular, the role of women in the prevention and resolution of conflicts and in peacebuilding, as recognized in resolution 1325 (2000), and of civil society, and to take this need into account in implementing all aspects of its mandate;

17. *Calls upon* the parties to the Comprehensive Peace Agreement and the communiqué signed by the United Nations and the Government of National Unity in Khartoum on 28 March 2007 to support, protect and facilitate all humanitarian operations and personnel in the Sudan;

18. *Welcomes* the continuing organized returns of internally displaced persons from Khartoum to Southern Kordofan and Southern Sudan and of refugees from countries of asylum to Southern Sudan, and encourages the promotion of efforts, including the provision of necessary resources to the Office of the United Nations High Commissioner for Refugees and implementing partners, to ensure that such returns are voluntary and sustainable, and further requests the Mission, within its capabilities and areas of deployment, to coordinate with partners to facilitate sustainable returns, including by helping to establish the necessary security conditions;

19. *Expresses its concern* at the persistence of localized conflict and violence, especially in the border area, mostly affecting civilians and with the potential for escalation; urges in this regard full cooperation of the National Congress Party and the Sudan People's Liberation Movement in carrying out the obligations of the Government of National Unity for the protection of civilians in armed conflict, in accordance with resolution 1674 (2006); and supports the intention of the Mission to strengthen its conflict management capacity by developing and executing an integrated strategy to support local conflict resolution mechanisms, in order to maximize protection of civilians;

20. *Notes* that conflict in one area of the Sudan affects conflict in other areas in the Sudan and in the region, and therefore urges the Mission to coordinate closely with UNAMID, the African Union-United Nations Joint Mediation Support Team and other stakeholders to ensure complementary implementation of the mandates of those bodies in support of the implementation of the Comprehensive Peace Agreement and of the overall objective of peace in the Sudan;

21. *Requests* the Mission to coordinate with humanitarian, recovery and development agencies, within its capabilities and areas of deployment, to facilitate the provision of recovery and development assistance, which is essential to deliver a peace dividend to the people of the Sudan;

22. *Calls upon* the Government of National Unity to cooperate fully with all the United Nations operations within its territory in the implementation of their mandates;

23. *Requests* the Secretary-General to submit for the consideration of the Security Council a report on possible measures that the Mission could take to assist with the implementation of a future final peace agreement between the Government of Uganda and the Lord's Resistance Army;

24. *Reiterates its concern* over the restrictions and all impediments placed on the movements of Mission personnel and materiel in the Sudan, and the adverse impact that such restrictions and impediments have on the ability of the Mission to perform its mandate effectively and on the ability of the humanitarian community to reach affected persons; and in this regard calls for all parties to cooperate fully with the Mission and facilitate the performance of its mandate, and to abide by their obligations under international humanitarian law;

25. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in the Mission with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action, including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

26. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5882nd meeting.

Decisions

At its 5891st meeting, on 13 May 2008, the Security Council decided to invite the representative of the Sudan to participate, without vote, in the discussion of the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[377]

> "The Security Council strongly condemns the attacks of 10 May 2008 perpetrated by the Justice and Equality Movement against the Government of the Sudan in Omdurman, and urges all parties to cease violence immediately, respect their obligations under international humanitarian law and commit to a peaceful resolution of all outstanding issues.
>
> "The Council urges restraint by all parties and, in particular, warns that no retaliatory action should be taken against civilian populations or that has an impact on stability in the region.
>
> "The Council reiterates the urgent need for all parties to engage fully and constructively in the political process. The Council calls upon the States of the region to implement their commitments under the Dakar Agreement, and to cooperate with a view to putting an end to the activities of armed groups and their attempts to seize power by force.
>
> "The Council strongly condemns all attempts at destabilization by force, and reaffirms its commitment to the sovereignty, unity, independence and territorial integrity of the Sudan."

At its 5892nd meeting, on 14 May 2008, the Council considered the item entitled:

"Reports of the Secretary-General on the Sudan

> "Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur (S/2008/304)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jean-Marie Guéhenno, Under-Secretary-General for Peacekeeping Operations.

[377] S/PRST/2008/15.

On 23 May 2008, the President of the Security Council addressed the following letter to the Secretary-General:[378]

> "I have the honour to inform you that your letter dated 20 May 2008 concerning the appointment of Major General Paban Thapa, of Nepal, as Force Commander of the United Nations Mission in the Sudan[379] has been brought to the attention of the members of the Security Council. They take note of the appointment indicated in your letter."

In a letter dated 30 May 2008, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Africa.[380]

At its 5905th meeting, on 5 June 2008, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Luis Moreno-Ocampo, Prosecutor of the International Criminal Court.

At its 5912th meeting, on 16 June 2008, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[381]

> "The Security Council takes note of the seventh briefing by the Prosecutor of the International Criminal Court on 5 June 2008 pursuant to resolution 1593 (2005).[382]
>
> "The Council recalls its decision, under Chapter VII of the Charter of the United Nations, taken in resolution 1593 (2005) that the Government of the Sudan and all other parties to the conflict in Darfur shall cooperate fully with and provide any necessary assistance to the International Criminal Court and the Prosecutor pursuant to that resolution, while stressing the principle of complementarity of the Court.
>
> "The Council takes note of the efforts made by the Prosecutor to bring to justice the perpetrators of war crimes and crimes against humanity in Darfur and, in particular, notes the follow-up by the Court with the Government of the Sudan, including the transmittal by the Registry of the Court to the Government of the Sudan of arrest warrants on 16 June 2007 and the opening by the Prosecutor of other investigations on crimes committed by various parties in Darfur.
>
> "In this respect, the Council urges the Government of the Sudan and all other parties to the conflict in Darfur to cooperate fully with the Court, consistent with resolution 1593 (2005), in order to put an end to impunity for the crimes committed in Darfur."

At its 5922nd meeting, on 24 June 2008, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Jan Eliasson, United Nations Special Envoy for Darfur.

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[378] S/2008/340.

[379] S/2008/339.

[380] The letter, which was issued as a Security Council document under the symbol S/2008/347, has been reproduced on page 55 of the present volume. The mission took place from 31 May to 10 June 2008 (see S/2008/460).

[381] S/PRST/2008/21.

[382] See S/PV.5905.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Salim Ahmed Salim, African Union Special Envoy for Darfur.

At its 5923rd meeting, on 24 June 2008, the Council considered the item entitled "Reports of the Secretary-General on the Sudan".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[383]

> "The Security Council welcomes the road map for the return of internally displaced persons and the implementation of the Abyei Protocol ("the road map") signed by the National Congress Party and the Sudan People's Liberation Movement on 8 June 2008. The Council emphasizes that the peaceful resolution of the situation in Abyei is vital to the effective implementation of the Comprehensive Peace Agreement[363] and peace in the region. The Council welcomes the agreements in the road map, including its provisions regarding revenue-sharing and the interim boundaries in Abyei. The Council urges the parties to use the opportunity created by the signing of the road map to resolve all outstanding issues related to implementation of the Agreement and welcomes the commitment of the parties to take unresolved issues to arbitration as necessary.
>
> "The Council deeply regrets the recent outbreak of fighting in Abyei, the ensuing displacement of civilians and the obstruction to the freedom of movement of the United Nations Mission in the Sudan. The Council urges the parties to facilitate immediate humanitarian support for the displaced citizens and support for their voluntary return as soon as an interim administration and the agreed security arrangements are in place.
>
> "The Council encourages the parties to fully implement the road map within the agreed timelines, in particular with the establishment of an Abyei Area Administration; deployment of a new Joint Integrated Unit battalion; ensuring free movement for forces of the Mission in the Abyei area and access to the north and south of the Abyei area to carry out its mandate to support implementation of the Agreement; and redeployment of the Sudanese Armed Forces and Sudan People's Liberation Movement troops outside the interim Abyei administrative area agreed to by the parties.
>
> "The Council calls upon the Mission, within its mandate and in accordance with Council resolution 1812 (2008), to robustly deploy, as appropriate, peacekeeping personnel in and around Abyei to help to reduce tensions and prevent the escalation of conflict in support of implementation of the Agreement. The Council requests the Secretary-General to examine the root causes of and the role played by the Mission in connection with the violence between the parties in Abyei in May 2008 and to consider what follow-up steps may be appropriate for the Mission."

On 3 July 2008, the President of the Security Council addressed the following letter to the Secretary-General:[384]

> "I have the honour to inform you that your letter dated 30 June 2008 concerning the appointment of Mr. Djibrill Yipènè Bassolé, of Burkina Faso, as the Joint African Union-United Nations Chief Mediator for Darfur[385] has been brought to the attention of the members of the Security Council. They take note of the appointment indicated in your letter."

At its 5935th meeting, on 16 July 2008, the Council decided to invite the representatives of Rwanda and Uganda to participate, without vote, in the discussion of the item entitled "Reports of the Secretary-General on the Sudan".

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[383] S/PRST/2008/24.

[384] S/2008/439.

[385] S/2008/438.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[386]

"The Security Council condemns in the strongest possible terms the attack on 8 July 2008 on a military and police convoy of the African Union-United Nations Hybrid Operation in Darfur (UNAMID) in Um Hakibah by 200 fighters on horses and in 40 vehicles, using sophisticated weaponry and tactics, which resulted in the death of 7 peacekeepers and a further 22 United Nations/African Union personnel being wounded. This unacceptable act of extreme violence is the largest attack on UNAMID since the transfer of authority from the African Union Mission in the Sudan on 31 December 2007. The Council is particularly concerned that the attack was premeditated, deliberate and intended to inflict casualties.

"The Council welcomes the United Nations investigation under way and the Government of the Sudan's statement that it would assist the United Nations investigation. It calls upon the Government of the Sudan to do its utmost to ensure that the perpetrators of the attack are swiftly identified and brought to justice. The Council underlines its determination to take action against those responsible after hearing the outcome of the investigation by UNAMID.

"The Council expresses its condolences to the Governments of Rwanda, Ghana and Uganda for the deaths of their peacekeepers and to the families of the victims. It commends the dedication of UNAMID personnel. The Council stresses that any attack or threat against UNAMID is unacceptable, and demands that there be no reoccurrence. It underlines that attacks on United Nations peacekeepers during an armed conflict can constitute war crimes under applicable international law and calls upon all parties to comply with their obligations under international humanitarian law.

"The Council calls upon all parties to agree to a cessation of hostilities, to engage fully and constructively in the political process under the leadership of the new Joint African Union-United Nations Chief Mediator for Darfur, Mr. Djibrill Yipènè Bassolé, and to cooperate fully with the deployment of UNAMID and respect its security and freedom of movement.

"The Council further calls upon the United Nations and all parties to facilitate the rapid and complete deployment of UNAMID, and upon capable Member States to contribute the helicopter and transportation units necessary to ensure the successful implementation of the mandate of UNAMID."

At its 5947th meeting, on 31 July 2008, the Council decided to invite the representative of the Sudan to participate, without vote, in the discussion of the item entitled:

"Reports of the Secretary-General on the Sudan

"Report of the Secretary-General on the deployment of the African Union-United Nations Hybrid Operation in Darfur (S/2008/443)".

Resolution 1828 (2008)
of 31 July 2008

The Security Council,

Reaffirming all its previous resolutions and the statements by its President concerning the situation in the Sudan,

[386] S/PRST/2008/27.

Reaffirming its strong commitment to the sovereignty, unity, independence and territorial integrity of the Sudan and its determination to work with the Government of the Sudan, in full respect of its sovereignty, to assist in tackling the various challenges in the Sudan,

Recalling its resolutions 1325 (2000) of 31 October 2000 and 1820 (2008) of 19 June 2008 on women and peace and security, resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel, resolution 1612 (2005) of 26 July 2005 on children and armed conflict and the subsequent conclusions on the Sudan of the Security Council Working Group on Children and Armed Conflict, as approved by the Council,[376] and resolution 1674 (2006) of 28 April 2006 on the protection of civilians in armed conflict, in which it reaffirms, inter alia, the relevant provisions of the 2005 World Summit Outcome,[368] as well as the report of its mission to the Sudan from 3 to 6 June 2008,[387]

Welcoming the report of the Secretary-General of 7 July 2008,[388] and recalling the confirmation of President Bashir during his meeting with the Council that the African Union-United Nations Hybrid Operation in Darfur (UNAMID) shall be deployed in full,

Deploring, one year after the adoption of resolution 1769 (2007) on 31 July 2007, the deterioration in the security and humanitarian situation in Darfur,

Stressing the need to enhance the safety and security of UNAMID personnel,

Noting with strong concern ongoing attacks on the civilian population and humanitarian workers and continued and widespread sexual violence, including as outlined in the reports of the Secretary-General,

Emphasizing the need to bring to justice the perpetrators of such crimes and urging the Government of the Sudan to comply with its obligations in this respect, and reiterating its condemnation of all violations of human rights and international humanitarian law in Darfur,

Taking note of the communiqué issued by the Peace and Security Council of the African Union at its one hundred and forty-second meeting, held on 21 July 2008,[389] having in mind concerns raised by members of the Council regarding potential developments subsequent to the application by the Prosecutor of the International Criminal Court of 14 July 2008, and taking note of their intention to consider these matters further,

Reaffirming its concern that the ongoing violence in Darfur might further negatively affect the stability of the Sudan as a whole, as well as the region, noting with concern the ongoing tensions between the Governments of the Sudan and Chad, and reiterating that a reduction in these tensions and rebel activity in both countries must be addressed to achieve long-term peace in Darfur and in the region,

Expressing its determination to promote and support the political process in Darfur, especially the new Chief Mediator, and deploring the fact that some groups refuse to join the political process,

Reiterating its deep concern for the decreasing security of humanitarian personnel, including killings of humanitarian workers, in Darfur and the hindering of their access to populations in need, condemning the parties to the conflict who have failed to ensure the full, safe and unhindered access of relief personnel as well as the delivery of humanitarian assistance, further condemning all instances of banditry and carjackings, and recognizing that, with many civilians in Darfur having been displaced, humanitarian efforts remain a priority until a sustained ceasefire and an inclusive political process are achieved,

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[387] See S/2008/460.

[388] S/2008/443.

[389] S/2008/481, annex.

Demanding an end to attacks on civilians, from any quarter, including by aerial bombing, and the use of civilians as human shields,

Determining that the situation in Darfur, Sudan, continues to constitute a threat to international peace and security,

1. *Decides* to extend the mandate of the African Union-United Nations Hybrid Operation in Darfur (UNAMID), as set out in resolution 1769 (2007), for a further twelve months, to 31 July 2009;

2. *Welcomes* the agreement of the Government of the Sudan, during its meeting with the Security Council on 5 June 2008, to the African Union-United Nations troop deployment plan, commends the contribution made by troop- and police-contributing countries and donors to UNAMID, and in order to facilitate the full and successful deployment of UNAMID and to enhance the protection of its personnel:

(*a*) Calls for the rapid deployment, as planned by the Secretary-General, of force enablers, including the heavy support package's engineer, logistical, medical and signal units, and of additional troops, police and civilian personnel, including contractors; and

(*b*) Calls upon States Members of the United Nations to pledge and contribute the helicopter, aerial reconnaissance, ground transport, engineering and logistical units and other force enablers required;

3. *Underlines* the importance of raising the capability of those UNAMID battalions formerly deployed by the African Union Mission in the Sudan and other incoming battalions, requests the continuing assistance of donors in ensuring that these battalions are trained and equipped to United Nations standards, and further requests the Secretary-General to include this in his next report to the Council;

4. *Welcomes* the intention of the Secretary-General to deploy 80 per cent of UNAMID by 31 December 2008, and urges the Government of the Sudan, troop contributors, donors, the Secretariat and all stakeholders to do all they can to facilitate this;

5. *Also welcomes* the signing of the status-of-forces agreement, demands that the Government of the Sudan comply with it fully and without delay, and further demands that the Government of the Sudan and all armed groups in the territory of the Sudan ensure the full and expeditious deployment of UNAMID and remove all obstacles to the proper discharge of its mandate, including by ensuring its security and freedom of movement;

6. *Underlines*, with a view to strengthening cooperation with troop and police contributors, as well as their safety and security, the need for enhanced guidelines, procedures and information-sharing;

7. *Underlines also* the need for UNAMID to make full use of its current mandate and capabilities with regard to the protection of civilians, ensuring humanitarian access and working with other United Nations agencies;

8. *Reiterates its condemnation* of previous attacks on UNAMID, stresses that any attack on or threat against UNAMID is unacceptable, demands that there be no recurrence of such attacks, and further requests the Secretary-General to report to the Council on the result of United Nations investigations and with recommendations to prevent a recurrence of such attacks;

9. *Reiterates* that there can be no military solution to the conflict in Darfur and that an inclusive political settlement and the successful deployment of UNAMID are essential to re-establishing peace in Darfur;

10. *Welcomes* the appointment of Mr. Djibrill Yipènè Bassolé as the Joint African Union-United Nations Chief Mediator for Darfur, who has its full support, calls upon the Government of the Sudan and rebel groups to engage fully and constructively in the peace process, including by entering into talks under the mediation of Mr. Bassolé, demands that all the

parties, in particular rebel groups, finalize their preparations for and join the talks, and underlines also the need for the engagement of civil society, including women and women-led organizations, community groups and tribal leaders;

11. *Demands* an end to violence by all sides, to attacks on civilians, peacekeepers and humanitarian personnel, and to other violations of human rights and international humanitarian law in Darfur; further demands that all parties cease hostilities and immediately commit themselves to a sustained and permanent ceasefire; and encourages the mediation to consult with all relevant parties on security issues with a view to a more effective Ceasefire Commission working closely with UNAMID to monitor the cessation of hostilities;

12. *Calls upon* the Sudan and Chad to abide by their obligations under the Dakar Agreement, the Tripoli Agreement[390] and subsequent bilateral agreements, including by ending support for rebel groups, welcomes the creation of the Dakar Agreement Contact Group and the consideration being given to improved monitoring of the border between the Sudan and Chad; and takes note of the agreement of the Sudan and Chad on 18 July 2008 to restore diplomatic relations;

13. *Demands* the full implementation of the joint communiqué between the Government of the Sudan and the United Nations on the facilitation of humanitarian activities in Darfur, and that the Government of the Sudan, all militias, armed groups and all other stakeholders ensure the full, safe and unhindered access of humanitarian organizations and relief personnel;

14. *Requests* the Secretary-General to ensure (*a*) continued monitoring and reporting of the situation of children, and (*b*) continued dialogue with the parties to the conflict towards the preparation of time-bound action plans to end the recruitment and use of child soldiers and other violations against children;

15. *Demands* that the parties to the conflict immediately take appropriate measures to protect civilians, including women and children, from all forms of sexual violence, in line with resolution 1820 (2008), and requests the Secretary-General to ensure, as appropriate, that resolutions 1325 (2000) and 1820 (2008) are implemented by UNAMID and to include information on this in his report requested in paragraph 17 below;

16. *Demands* that the parties to the conflict in Darfur fulfil their international obligations and their commitments under relevant agreements, the present resolution and other relevant Council resolutions;

17. *Requests* the Secretary-General to report to the Council every sixty days after the adoption of the present resolution on developments on UNAMID, the political process, the security and humanitarian situation, and compliance by all parties with their international obligations;

18. *Reiterates its readiness* to take action against any party that impedes the peace process, humanitarian assistance or the deployment of UNAMID, and recognizes that due process must take its course;

19. *Decides* to remain seized of the matter.

Adopted at the 5947th meeting
by 14 votes to none, with 1 abstention
(United States of America).

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[390] Tripoli Agreement to Settle the Dispute between the Republic of Chad and the Republic of the Sudan (see S/2006/103).

SPECIAL ADVISER ON THE PREVENTION OF GENOCIDE[391]

Decision

On 7 December 2007, the President of the Security Council addressed the following letter to the Secretary-General:[392]

"I have the honour to inform you that your letter dated 31 August 2007[393] has been brought to the attention of the members of the Security Council.

"With reference to the agreement contained in paragraphs 138 and 139 of the 2005 World Summit Outcome,[394] they take note of your intention to designate Mr. Edward Luck as your Special Adviser on the Responsibility to Protect, at the Assistant Secretary-General level, on a part-time basis.

"With respect to your intention to appoint Mr. Francis Deng as a full-time successor to Mr. Juan Méndez and to request from the General Assembly an upgrade in his position to the Under-Secretary-General level, the members of the Council, being disposed to consider favourably your proposals, would welcome an outline of the new mandate (as had been previously provided in the annex to document S/2004/567) and further details from you on the implications of the change in title for Mr. Deng's post set out in your letter. They recall their support for the crucial role played by the Special Adviser of the Secretary-General, as set out in the statement by the President of the Council of 28 August 2007."[395]

POST-CONFLICT PEACEBUILDING[396]

Decisions

At its 5761st meeting, on 17 October 2007, the Security Council decided to invite the representatives of Burundi, El Salvador (Vice-Chairperson of the Peacebuilding Commission), the Netherlands (Chairperson of the Sierra Leone configuration of the Peacebuilding Commission), Norway (Chairperson of the Burundi configuration of the Peacebuilding Commission) and Sierra Leone to participate, without vote, in the discussion of the item entitled:

"Post-conflict peacebuilding

"Report of the Peacebuilding Commission on its first session (S/2007/458)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yukio Takasu, Chairperson of the Peacebuilding Commission and Permanent Representative of Japan to the United Nations.

In a letter dated 11 December 2007, the President of the Security Council informed the Chairperson of the Peacebuilding Commission that the Council supported the request to place Guinea-Bissau on the agenda of the Commission.[397]

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[391] Resolutions or decisions on this question were first adopted by the Security Council in 2004.

[392] S/2007/722.

[393] S/2007/721.

[394] See General Assembly resolution 60/1.

[395] S/PRST/2007/31.

[396] Resolutions or decisions on this question were first adopted by the Security Council in 2005.

[397] The letter, which was issued as a Security Council document under the symbol S/2007/744, has been reproduced on page 146 of the present volume.

On 3 January 2008, the President of the Security Council addressed the following letter to the Secretary-General:[398]

> "I have the honour to refer to Security Council resolution 1646 (2005), adopted on 20 December 2005, in which the Council, in keeping with its resolution 1645 (2005), adopted on the same date, decided that the permanent members listed in Article 23, paragraph 1, of the Charter of the United Nations should be members of the Organizational Committee of the Peacebuilding Commission and that, in addition, the Council should select annually two of its elected members to participate in the Organizational Committee.
>
> "I therefore have the honour to inform you that, following informal consultations on 3 January 2008, members of the Council agreed on the selection of Belgium and South Africa as the two elected members of the Council to participate in the Organizational Committee for a term of one year, until the end of 2008."

At its 5895th meeting, on 20 May 2008, the Council decided to invite the representatives of Afghanistan, Argentina, Australia, Bangladesh, Benin, Bosnia and Herzegovina (Chairman of the Council of Ministers), Brazil, Chile, Egypt, El Salvador, Georgia, Germany, Ghana, Guatemala, Honduras, India, Jamaica, Liechtenstein, Mexico, the Netherlands (Minister for Foreign Affairs), New Zealand, Nigeria, Norway, Pakistan, Papua New Guinea, Peru, Qatar, the Republic of Korea, Serbia, Sierra Leone (Minister for Foreign Affairs and International Cooperation), Slovakia, Slovenia, Spain (Minister for Foreign Affairs and Cooperation), Switzerland, Thailand and Turkey to participate, without vote, in the discussion of the item entitled:

"Post-conflict peacebuilding

> "Letter dated 2 May 2008 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/2008/291)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Marwan Muasher, Senior Vice-President of the World Bank, Mr. Lakhdar Brahimi, and Mr. Yukio Takasu, Chairperson of the Peacebuilding Commission and Permanent Representative of Japan to the United Nations.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[399]

> "The Security Council recalls its primary responsibility for the maintenance of international peace and security and emphasizes the critical importance of post-conflict peacebuilding in laying the foundation for sustainable peace and development after the scourge of war.
>
> "The Council recognizes that supporting States to recover from conflict and build sustainable peace is a major challenge facing the international community, and that an effective response requires political, security, humanitarian and development activities to be integrated and coherent, including in the first phase of integrated mission planning.
>
> "The Council emphasizes the importance of national ownership and the primary responsibility of national authorities emerging from conflict for peacebuilding and sustainable development, expresses its intention to support those efforts and encourages other actors to do the same.
>
> "The Council recalls its resolution 1645 (2005) and welcomes the work of the Peacebuilding Commission in advising on the coordination of international peacebuilding

[398] S/2008/84 and Corr.1.

[399] S/PRST/2008/16.

activities and resources, and expresses its support for enhancing the role of the Peacebuilding Commission, the Peacebuilding Support Office and the Peacebuilding Fund.

"The Council recognizes that, in particular in the immediate aftermath of conflict, affected countries have urgent needs including, but not limited to, the re-establishment of the institutions of government, disarmament, demobilization and reintegration of armed forces, security sector reform, transitional justice, reconciliation, re-establishing the rule of law and respect for human rights and economic revitalization. The Council underlines that civilian expertise in post-conflict peacebuilding is essential in helping to meet these needs.

"The Council encourages efforts to address the urgent need for rapidly deployable civilian expertise and stresses that the critical role for such expertise is working in cooperation with national authorities to strengthen national capacities.

"The Council highlights the need for the United Nations to play a leading role in the field in coordinating international efforts in post-conflict situations. The Council stresses that coordination between national authorities and others involved in longer-term reconstruction and development, including organs of the United Nations system in accordance with their respective mandates, the international financial institutions, as well as with civil society and the business sector, is vital for the success of United Nations and international engagement in post-conflict situations.

"The Council stresses the need to ensure that finance is available from the outset for recovery and peacebuilding activities to meet immediate needs, and to lay a solid foundation for longer-term reconstruction and development.

"The Council reaffirms the role of regional organizations in the prevention, management and resolution of conflicts in accordance with Chapter VIII of the Charter of the United Nations, and the need to strengthen the capacity of regional organizations in helping countries to recover from conflict.

"The Council encourages the Secretary-General, the Peacebuilding Commission, international and regional organizations and Member States to consider how to support national efforts in affected countries to secure a sustainable peace more rapidly and effectively, including in the areas of coordination, civilian deployment capabilities and financing. The Council invites the Secretary-General to provide advice within 12 months to the relevant United Nations organs on how best to take forward these issues within the United Nations system and, taking into consideration the views of the Peacebuilding Commission, how to coordinate peacebuilding activities and encourage the mobilization and most effective use of resources for urgent peacebuilding needs."

In a letter dated 30 May 2008, the President of the Security Council informed the Chairperson of the Peacebuilding Commission that the Council supported the request to place the Central African Republic on the agenda of the Commission.[400]

THE SITUATION CONCERNING IRAQ[401]

Decision

At its 5729th meeting, on 10 August 2007, the Security Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled "The situation concerning Iraq".

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[400] The letter, which was issued as a Security Council document under the symbol S/2008/383, has been reproduced on page 133 of the present volume.

[401] Resolutions or decisions on this question were first adopted by the Security Council in 2005.

Resolution 1770 (2007) of 10 August 2007

The Security Council,

Recalling all its previous relevant resolutions on Iraq, in particular resolutions 1500 (2003) of 14 August 2003, 1546 (2004) of 8 June 2004, 1557 (2004) of 12 August 2004, 1619 (2005) of 11 August 2005 and 1700 (2006) of 10 August 2006,

Reaffirming the independence, sovereignty, unity and territorial integrity of Iraq,

Emphasizing the importance of the stability and security of Iraq for the people of Iraq, the region and the international community,

Acknowledging that a democratically elected and constitutionally based Government of Iraq is now in place,

Underscoring the need for all communities in Iraq to reject sectarianism, participate in the political process and engage in an inclusive political dialogue and national reconciliation for the sake of Iraq's political stability and unity,

Reaffirming the importance of the United Nations, in particular the United Nations Assistance Mission for Iraq, in supporting the efforts of the people and Government of Iraq to strengthen institutions for representative government, promote political dialogue and national reconciliation, engage neighbouring countries, assist vulnerable groups, including refugees and internally displaced persons, and promote the protection of human rights and judicial and legal reform,

Expressing concern for the humanitarian issues confronting the people of Iraq, and stressing the need for a coordinated response and adequate resources to address these issues,

Underscoring the sovereignty of the Government of Iraq, and reaffirming that all parties should take all feasible steps to ensure the protection of affected civilians and should create conditions conducive to the voluntary, safe, dignified and sustainable return of refugees and internally displaced persons,

Urging all those concerned, as set forth in international humanitarian law, including the Geneva Conventions of 1949[402] and the Regulations annexed to the Hague Convention IV of 1907,[403] to allow full, unimpeded access by humanitarian personnel to all people in need of assistance and to make available, as far as possible, all necessary facilities for their operations, and to promote the safety, security and freedom of movement of humanitarian personnel and United Nations and associated personnel and their assets,

Welcoming the formal launch of the International Compact with Iraq on 3 May 2007 as well as the expanded neighbours conference held on 4 May 2007 and resultant working groups, and underscoring the importance of continued regional and international support for Iraq's development,

Acknowledging with appreciation past contributions by Member States to the Mission, and recalling the need for the Mission to have the necessary resources to fulfil its mission,

Welcoming the letter dated 6 August 2007 from the Minister for Foreign Affairs of Iraq to the Secretary-General,[404] expressing the view of the Government of Iraq requesting the Mission to assist Iraqi efforts to build a productive and prosperous nation at peace with itself and its neighbours,

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[402] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[403] See Carnegie Endowment for International Peace, *The Hague Conventions and Declarations of 1899 and 1907* (New York, Oxford University Press, 1915).

[404] S/2007/481, annex.

1. *Decides* to extend the mandate of the United Nations Assistance Mission for Iraq for another period of twelve months from the date of the present resolution;

2. *Decides also* that, as circumstances permit, the Special Representative of the Secretary-General for Iraq and the Mission, at the request of the Government of Iraq, shall:

(*a*) Advise, support and assist:

(i) The Government and people of Iraq on advancing their inclusive political dialogue and national reconciliation;

(ii) The Government of Iraq and the Independent High Electoral Commission on the development of processes for holding elections and referendums;

(iii) The Government of Iraq and the Council of Representatives on constitutional review and the implementation of constitutional provisions, as well as on the development of processes acceptable to the Government of Iraq to resolve disputed internal boundaries;

(iv) The Government of Iraq on facilitating regional dialogue, including on issues of border security, energy and refugees;

(v) The Government of Iraq, at an appropriate time and in connection with progress on reconciliation efforts, on planning, funding and implementing reintegration programmes for former members of illegal armed groups;

(vi) The Government of Iraq on initial planning for the conduct of a comprehensive census;

(*b*) Promote, support and facilitate, in coordination with the Government of Iraq:

(i) The coordination and delivery of humanitarian assistance and the safe, orderly and voluntary return, as appropriate, of refugees and displaced persons;

(ii) The implementation of the International Compact with Iraq, including coordination with donors and international financial institutions;

(iii) The coordination and implementation of programmes to improve Iraq's capacity to provide essential services for its people and continue active donor coordination of critical reconstruction and assistance programmes through the International Reconstruction Fund Facility for Iraq;

(iv) Economic reform, capacity-building and the conditions for sustainable development, including through coordination with national and regional organizations and, as appropriate, civil society, donors and international financial institutions;

(v) The development of effective civil, social and essential services, including through training and conferences in Iraq when possible;

(vi) The contributions of United Nations agencies, funds and programmes to the objectives outlined in the present resolution under the unified leadership of the Secretary-General through his Special Representative for Iraq;

(*c*) Promote the protection of human rights and judicial and legal reform in order to strengthen the rule of law in Iraq;

3. *Recognizes* the important role of the multinational force in Iraq in supporting the Mission, including security and logistical support, and further recognizes that security is essential for the Mission to carry out its work on behalf of the people of Iraq;

4. *Calls upon* Member States to continue providing the Mission with the necessary financial, logistical and security resources and support to fulfil its mission;

5. *Expresses its intention* to review the mandate of the Mission in twelve months or sooner, if requested by the Government of Iraq;

6. *Requests* the Secretary-General to report to the Security Council within three months of the date of the present resolution on the operations of the Mission in Iraq, and on a quarterly basis thereafter on the progress made towards the fulfilment of all the responsibilities of the Mission;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 5729th meeting.

Decisions

On 7 September 2007, the President of the Security Council addressed the following letter to the Secretary-General:[405]

> "I have the honour to inform you that your letter dated 4 September 2007 concerning your intention to appoint Mr. Staffan de Mistura, of Sweden, as your Special Representative for Iraq and Head of the United Nations Assistance Mission for Iraq[406] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5763rd meeting, on 19 October 2007, the Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled:

"The situation concerning Iraq

> "Report of the Secretary-General pursuant to paragraph 6 of resolution 1770 (2007) (S/2007/608)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

On 8 November 2007, the President of the Security Council addressed the following letter to the Secretary-General:[407]

> "I have the honour to inform you that your letter and note dated 25 July 2007 concerning the processing of letters of credit pertaining to the oil-for-food programme[408] have been brought to the attention of the members of the Security Council.
>
> "The members of the Council continue to welcome the ongoing work of the Secretariat. In particular, they welcome the efforts of the Secretariat to meet again with the relevant authorities of the Government of Iraq in Amman, on 3 and 4 June 2007, where pending issues were discussed.
>
> "They further express their appreciation for the efforts of the Secretariat to resolve with BNP Paribas the concerns raised in your letter dated 9 April 2007. The members of the Council affirm that the oil-for-food programme will be terminated by 31 December 2007, and, to that end, seek the full cooperation of all relevant parties to fulfil their responsibilities.
>
> "Given that the oil-for-food programme is to be terminated on 31 December 2007, the members of the Council strongly encourage all companies previously involved with the programme and wishing to do business with Iraq to use normal commercial channels.
>
> "The members of the Council have considered the request of the Central Bank of Iraq pertaining to communication number 900655 and withhold their consent to approve the request.

[405] S/2007/534.
[406] S/2007/533.
[407] S/2007/661.
[408] S/2007/476.

"They give their consent to the request of the Central Bank of Iraq concerning communication number 1100581. The decision of the Council in this regard shall not be construed as setting any precedent.

"Furthermore, the members of the Council agree with your suggestion not to reinstate the contracts with communication numbers 900020 and 900109.

"The members of the Council note that nothing in their decisions regarding the aforementioned contracts with communication numbers 900655, 900020 and 900109 shall prevent the sovereign Government of Iraq from determining whether those contracts should be fulfilled outside the oil-for-food programme.

"In the light of the issues raised in paragraph 12 of your note, the members of the Council agree with your proposal to authorize, at the request of the Central Bank of Iraq, the renewal, reinstatement or extension through a period not to exceed 31 December 2007 of the letters of credit listed in annexes I and V to your note and any related amendments thereto, except the three letters of credit (communication numbers 900655, 900020 and 900109) mentioned above.

"The members of the Council further agree to accept the authentication work associated with 17 letters of credit in annex VI to your note, completed by Cotecna at the time of handover of its functions to the Government of Iraq. Notwithstanding the provisions of relevant Council resolutions, the members of the Council request the Secretariat to issue all necessary documentation to BNP Paribas for early settlement of the related 17 letters of credit.

"They also note your decision to retain funds originally held as collateral in respect of 47 expired letters of credit in the United Nations Iraq Account pending the full resolution of claims.

"The members of the Council express their ongoing concern and disappointment regarding your observation of the slow provision or non-provision of authentication documents by the Government of Iraq. They remain concerned that there are currently 188 letters of credit with an approximate value of $209 million where the letters of credit have expired and for which there are claims of delivery from the suppliers. They continue to underline that this situation could present a serious risk to the possibility of the timely termination of the programme.

"The members of the Council, referring to the letters dated 11 August 2006[409] and 29 January [410] and 27 April 2007 [411] from the President of the Council to the Secretary-General, reaffirm the importance of promptly finding a final solution to the remaining issues so that payments can be made to the companies concerned and so that the programme can close as currently scheduled.

"To that end, they have addressed another letter to the Permanent Representative of Iraq to the United Nations urging the Government of Iraq to do its utmost, in liaison with the United Nations Secretariat, to expedite the processing of the remaining letters of credit, in particular those in respect of contracts where delivery has been effected.

"They expressed concern about the chronic problem of the slow provision or non-provision of authentication documents, and invited the Permanent Representative to send a reply setting out the views and experiences of the Government of Iraq in this matter, and providing specific answers regarding the aforementioned issues, particularly allegations regarding improper withholding of authentication documents. The members of the Council

[409] S/2006/646.

[410] S/2007/47.

[411] S/2007/242.

noted their prior requests for such information from the Government of Iraq, and urged the Government of Iraq to reply.

"The members of the Council request the Secretary-General to develop proposals to address unresolved issues, including the possible need for the establishment of mechanisms to deal with outstanding issues, and to report again to the Council on such issues within three weeks, bearing in mind the non-negotiable termination date of 31 December 2007 of the programme."

On 21 November 2007, the President of the Security Council addressed the following letter to the Secretary-General:[412]

"I have the honour to inform you that your report of 27 September 2007 pursuant to paragraph 5 of resolution 1762 (2007)[413] has been brought to the attention of the Security Council.

"The members of the Council take note of the contents of the report and, in particular, of the steps that you have taken 'to provide for the appropriate disposition of the archives and other property of the United Nations Monitoring, Verification and Inspection Commission under arrangements ensuring, in particular, that sensitive proliferation information or information provided in confidence by Member States is kept under strict control', in accordance with paragraph 5 of resolution 1762 (2007). The members of the Council approve of the overall archiving procedure as set out in the report.

"With regard to the issues raised in paragraph 35 of your report, the members of the Council suggest that access to the 'confidential' information in the archives of the Commission be restricted for a period of 30 years and that access to the 'strictly confidential' information be restricted for a period of 60 years.

"Following the expiration of this period, confidential and strictly confidential information would be reviewed by the Secretary-General every five years. If the information was provided in confidence by a Member State, the Secretary-General would consult with that Member State. Following this review, the Secretary-General would have the discretion to recommend to the Council under a non-objection procedure the declassification of information.

"The members of the Council also support granting earlier access to the archives to Member States and relevant international organizations, such as the International Atomic Energy Agency, the Organization for the Prohibition of Chemical Weapons and the United Nations Environment Programme, on a case-by-case basis, following careful consideration of the reasons for allowing such access. The Council suggests the nomination by the Secretary-General, with the approval of the Council, of a three-person ad hoc committee to recommend in each case whether such access should be granted. The recommendations of this committee would be sent to the Council under a non-objection procedure.

"The members of the Council also recommend that the Secretariat expeditiously and economically transfer to the Government of Iraq all property of the Commission that is not proliferation-sensitive or subject to export control restrictions. Property that is sensitive or subject to restrictions should be appropriately disposed of at the earliest possible date in consultation with the State or entity from which the property was purchased or donated.

"The members of the Council note the requirement of resolution 1762 (2007) that the Secretary-General transfer all unencumbered funds not used for payment of outstanding bills or for the costs associated with archiving and property disposition to the Development Fund for Iraq, and in that regard further note the transfer of 25.1 million United States dollars

[412] S/2007/680.

[413] S/2007/568.

already made by the United Nations. If, following completion of the tasks outlined in resolution 1762 (2007), a portion of the encumbered US$ 12 million is unspent, the members of the Council urge that it be transferred to the Fund without delay. The members of the Council request an update each quarter on relevant spending by the United Nations.

"The members of the Council welcome the continuing efforts of the Secretary-General and the staff of the United Nations Secretariat to dispose appropriately of Commission archives and other property as soon as possible. The members request monthly updates in closing down the Commission in a manner consistent with resolution 1762 (2007). The members also request a briefing on what steps the Secretariat is planning to provide for the enhanced physical security of the archives, in particular those containing sensitive proliferation information."

At its 5808th meeting, on 18 December 2007, the Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled "The situation concerning Iraq".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Warren Sach, Assistant Secretary-General for Programme Planning, Budget and Accounts and Controller.

Resolution 1790 (2007)
of 18 December 2007

The Security Council,

Welcoming the efforts of the democratically elected, constitutionally based national unity Government of Iraq in fulfilling its detailed political, economic and security programme and national reconciliation agenda, and looking forward to the day that Iraqi forces assume full responsibility for the maintenance of security and stability in their country, thus allowing the completion of the multinational force mandate and the end of its presence in Iraq,

Welcoming also continued progress in the training, equipping and capacity-building of Iraqi security forces, including the Iraqi Army and the internal security forces, the assumption of command and control by Iraqi Ground Forces Command over all Iraqi Army divisions, and the transfer of security responsibility in Najaf, Maysan, Muthanna, Dhi Qar, Dahuk, Arbil, Sulaymaniyah, Karbala and Basra provinces, and also welcoming efforts to complete that process during 2008,

Recalling all of its previous relevant resolutions on Iraq,

Reaffirming the independence, sovereignty, unity and territorial integrity of Iraq, and reaffirming further the importance of the principle of non-interference in the internal affairs of Iraq,

Reaffirming also the right of the Iraqi people freely to determine their own political future and control their own national resources,

Welcoming the continuing work of the Government of Iraq towards a federal, democratic, pluralistic and unified Iraq, in which there is full respect for human rights,

Noting the strong commitment of the Government of Iraq in pursuing an atmosphere in which sectarianism is totally rejected, including through the agreed communiqué announced on 26 August 2007, underscoring the need for all communities in Iraq to reject sectarianism, participate in the political process and engage in an inclusive political dialogue and national reconciliation for the sake of Iraq's political stability and unity, and reaffirming the willingness of the international community to work closely with the Government of Iraq to assist these reconciliation efforts,

Recognizing continuing progress under the International Compact with Iraq, an initiative of the Government of Iraq that has created a new partnership with the international community and is building a strong framework for Iraq's continued political, security and economic transformation and integration into the regional and global economy, and welcoming the important role that the United Nations is playing by jointly chairing the Compact with the Government of Iraq,

Calling upon the international community, particularly countries in the region and Iraq's neighbours, to support the Iraqi people in their pursuit of peace, stability, security, democracy and prosperity, welcoming the expanded neighbours conferences held on 4 May and on 2 and 3 November 2007, resultant working groups, and the agreement to establish an expanded neighbours "support mechanism" with support from the United Nations, and noting that the successful implementation of the present resolution will contribute to regional stability,

Demanding that those who use violence in an attempt to subvert the political process should lay down their arms and participate in the political process, and encouraging the Government of Iraq to continue to engage with all those who renounce violence,

Reaffirming that acts of terrorism must not be allowed to disrupt Iraq's political and economic transition, and further reaffirming the obligations of Member States under resolution 1618 (2005) of 4 August 2005 and other relevant resolutions and international conventions with respect, inter alia, to terrorist activities in and from Iraq or against its citizens,

Recalling the termination under resolution 1762 (2007) of 29 June 2007 of the mandates of the United Nations Monitoring, Verification and Inspection Commission and the International Atomic Energy Agency in Iraq under the relevant resolutions, welcoming Iraq's commitments in its letter dated 8 April 2007 to the President of the Security Council, annexed to resolution 1762 (2007), and reaffirming Iraq's disarmament obligations under relevant resolutions,

Recognizing the request, conveyed in the letter dated 7 December 2007 from the Prime Minister of Iraq to the President of the Security Council, annexed to the present resolution, to retain the presence of the multinational force in Iraq, recognizing also the intention of the Government of Iraq to assume full responsibility for providing security to the country and people of Iraq, and taking note of all of the objectives set forth in that letter, including the statement that the Government of Iraq considers this to be its final request to the Council for the extension of the mandate of the multinational force,

Recognizing also the importance of the consent of the sovereign Government of Iraq for the presence of the multinational force and of maximum coordination and close partnership between the multinational force and that Government,

Taking into consideration the progress of Iraq's security forces in improving the capability to provide security to the country and people of Iraq, as well as the continuing progress of the Government of Iraq in achieving its political, economic and security programme,

Welcoming the willingness of the multinational force to continue efforts to contribute to the maintenance of security and stability in Iraq, including participating in the provision of humanitarian and reconstruction assistance, as described in the letter dated 10 December 2007 from the Secretary of State of the United States of America to the President of the Security Council, annexed to the present resolution,

Recognizing the tasks and arrangements set out in the letters annexed to resolution 1546 (2004) of 8 June 2004, including the provision of security and logistical support for the United Nations presence in Iraq, and the cooperative implementation by the Government of Iraq and the multinational force of those arrangements, and having regard for resolution 1770 (2007) of 10 August 2007,

Affirming the importance for all parties, including foreign forces, promoting the maintenance of security and stability in Iraq to act in accordance with international law, including relevant obligations under international humanitarian law, human rights law and refugee law, and to cooperate with the relevant international organizations, welcoming their commitments in this

regard, and underscoring that all parties, including foreign forces, should take all feasible steps to ensure the protection of affected civilians,

Recalling the establishment of the United Nations Assistance Mission for Iraq on 14 August 2003, and affirming that the United Nations should continue to play a leading role in supporting the efforts of the people and Government of Iraq to strengthen institutions for representative government, promote political dialogue and national reconciliation, engage neighbouring countries, assist vulnerable groups, including refugees and internally displaced persons, and promote the protection of human rights and judicial and legal reform in accordance with resolution 1770 (2007),

Recognizing that international support for security and stability is essential to the well-being of the people of Iraq as well as the ability of all concerned, including the United Nations, to carry out their work on behalf of the people of Iraq, and expressing appreciation for contributions by Member States in this regard under resolutions 1483 (2003) of 22 May 2003, 1511 (2003) of 16 October 2003, 1546 (2004), 1637 (2005) of 8 November 2005 and 1723 (2006) of 28 November 2006,

Recognizing also that the Government of Iraq will continue to have the leading role in coordinating international assistance to Iraq, and reaffirming the importance of international assistance and development of the Iraqi economy and the importance of coordinated donor assistance,

Recognizing further the significant role of the Development Fund for Iraq and the International Advisory and Monitoring Board and the provisions of paragraph 22 of resolution 1483 (2003) in helping the Government of Iraq to ensure that Iraq's resources are being used transparently and equitably for the benefit of the people of Iraq,

Stressing the responsibility of the Iraqi authorities to undertake all appropriate steps to prevent attacks on the diplomatic personnel accredited in Iraq in accordance with the Vienna Convention on Diplomatic Relations of 1961,[414]

Determining that the situation in Iraq continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Notes* that the presence of the multinational force in Iraq is at the request of the Government of Iraq, reaffirms the authorization for the multinational force as set forth in resolution 1546 (2004), and decides to extend the mandate as set forth in that resolution until 31 December 2008, taking into consideration the letter dated 7 December 2007 from the Prime Minister of Iraq to the President of the Security Council, including all of the objectives highlighted therein, and the letter dated 10 December 2007 from the Secretary of State of the United States of America to the President of the Security Council;

2. *Decides* that the mandate of the multinational force shall be reviewed at the request of the Government of Iraq or no later than 15 June 2008, and declares that it will terminate this mandate earlier if requested by the Government of Iraq;

3. *Decides also* to extend until 31 December 2008 the arrangements established in paragraph 20 of resolution 1483 (2003) for the deposit into the Development Fund for Iraq of proceeds from export sales of petroleum, petroleum products and natural gas and the arrangements referred to in paragraph 12 of resolution 1483 (2003) and paragraph 24 of resolution 1546 (2004) for the monitoring of the Development Fund for Iraq by the International Advisory and Monitoring Board, and further decides that, subject to the exception provided for in paragraph 27 of resolution 1546 (2004), the provisions of paragraph 22 of resolution 1483 (2003)

[414] United Nations, *Treaty Series*, vol. 500, No. 7310.

shall continue to apply until that date, including with respect to funds, financial assets and economic resources described in paragraph 23 of that resolution;

4. *Decides further* that the provisions in paragraph 3 above for the deposit of proceeds into the Development Fund for Iraq and for the role of the International Advisory and Monitoring Board and the provisions of paragraph 22 of resolution 1483 (2003) shall be reviewed at the request of the Government of Iraq or no later than 15 June 2008;

5. *Requests* that the United States of America, on behalf of the multinational force, continue to report to the Council on the efforts and progress of the force on a quarterly basis;

6. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5808th meeting.

Annex I

Letter dated 7 December 2007 from Mr. Nuri Kamel al-Maliki, Prime Minister of Iraq, to the President of the Security Council

Iraq has now finished building its constitutional and legal institutions. It now has a permanent Constitution, which was voted on by the Iraqi people, and a parliament, which represents the various components of Iraqi society. Iraq also has a Government of national unity that includes all political factions. Today, despite the efforts of terrorists and hostile forces to prevent us from developing our young and vital democracy, we are determined to build a democratic, federal and unified Iraq.

The Government of Iraq continues to act expeditiously to guarantee the security of Iraqi citizens and the stability of the country. It is continuing to act expeditiously to promote national reconciliation in order to ensure broad political participation by all national forces, to protect human rights and strengthen the rule of law, to achieve economic growth and to provide its citizens with basic services.

Achieving security and stability in the country is a matter of the utmost priority for the Government of Iraq. That is why it has devoted special attention to the task of building and strengthening the capacities of the Iraqi Army and the internal security forces, given that those are the two institutions that can guarantee security, maintain order and confront terrorist and other outlaw groups. Our national forces have successfully taken over the security functions of the multinational force in Iraq (MNF-I) in eight governorates. It is our intention that our national forces will continue to take over those security functions until all 18 governorates are under the full security control of our troops in 2008. Our ground force command has assumed control of all the divisions of the Iraqi Army. The effective coordination between the command and MNF-I has had a positive effect on the security situation.

The Government of Iraq stresses that MNF-I, working alongside our national forces, has made an important and significant contribution to efforts to establish security and the rule of law. The Government of Iraq requests that the Security Council should consider extending the mandate of MNF-I in the light of Iraq's achievements over the past few years, namely, the strengthened capacity of its Army and security forces and its significant successes in the security, political and economic spheres. A review of the role and authority of MNF-I will thus be required in order to strike a balance between, on the one hand, the need to extend, one last time, the mandate of the force and, on the other hand, progress made by Iraq in the area of security. In this regard, it is important for Iraq to be treated as an independent and fully sovereign State and, in seeking the aforementioned balance, the following objectives should be highlighted:

1. The Government of Iraq requests the extension of the mandate of MNF-I in accordance with Security Council resolutions 1546 (2004), 1637 (2005) and 1723 (2006) and the letters annexed thereto for a period of 12 months beginning on 31 December 2007, provided that the extension is subject to a commitment by the Security Council to end the mandate at an earlier date if the Government of Iraq so requests and that the mandate is subject to periodic review before June 2008;

2. The functions of recruiting, training, arming and equipping the Iraqi Army and Iraq's security forces are the responsibility of the Government of Iraq;

3. The Government of Iraq will assume responsibility for command and control of all Iraqi forces, and MNF-I, in coordination with the Government of Iraq, will provide support and backing to those forces;

4. The Government of Iraq will be responsible for arrest, detention and imprisonment tasks. When those tasks are carried out by MNF-I, there will be maximum levels of coordination, cooperation and understanding with the Government of Iraq;

5. The Government of Iraq considers this to be its final request to the Security Council for the extension of the mandate of MNF-I and expects, in future, that the Security Council will be able to deal with the situation in Iraq without the need for action under Chapter VII of the Charter of the United Nations;

6. The Government of Iraq requests that the resolution to be adopted by the Security Council should reaffirm respect for the independence, sovereignty, unity and territorial integrity of Iraq and also reaffirm the commitment of Member States to the principle of non-intervention in its internal affairs.

The Government of Iraq wishes to inform the Security Council that it has signed a declaration of principles with the United States of America with a view to establishing a long-term cooperative and friendly relationship.

The Government of Iraq reaffirms the importance of the work of the Security Council Committee established pursuant to resolution 1518 (2003) in order to restore the Iraqi funds and assets deposited outside Iraq by the previous regime. The Government of Iraq urges the members of the Security Council to support the Committee's ongoing work in accordance with paragraph 19 of resolution 1483 (2003) concerning the identification of individuals and entities referred to in paragraph 23 of that resolution, including the updating of the list of individuals and entities identified by the Security Council Committee established pursuant to paragraph 6 of resolution 661 (1990). The Government of Iraq looks forward to the Committee's report to the Security Council on its activities.

The Government of Iraq recognizes the importance of the provisions of paragraph 22 of resolution 1483 (2003) in ensuring that Iraq's natural resources, the proceeds from sales thereof and other funds deposited in the Development Fund for Iraq are used for reconstruction activities and other efforts to benefit the people of Iraq. Iraq therefore requests that, taking account of the exception provided for in paragraph 27 of resolution 1546 (2004), the Security Council should continue to apply the provisions of paragraph 22 of resolution 1483 (2003) until 31 December 2008, including in respect of the funds, financial assets and economic resources described in paragraph 23 of resolution 1483 (2003).

The Government of Iraq is of the opinion that the provisions of Security Council resolution 1546 (2004) on the deposit of proceeds into the Development Fund for Iraq will help to ensure that proceeds from Iraq's natural resources are used to serve the interests of the Iraqi people. The role played by the International Advisory and Monitoring Board serves the same purpose. The Government of Iraq understands that the Development Fund for Iraq plays an important role in helping Iraq to convince donors and creditors that it is managing its resources and debts in a responsible way in the interests of the Iraqi people. It should be pointed out that Iraq is striving to form a new partnership with the international community in order to build a dynamic network designed to transform its economy and integrate it with other world economies through the International Compact with Iraq. We are therefore requesting that the mandate of the Development Fund for Iraq and the International Advisory and Monitoring Board should be extended for a further 12 months. We are also requesting that the mandate should be reviewed, based on the request of the Government of Iraq, before 15 June 2008.

The Government of Iraq is asking the Security Council to review its resolutions relating to the deposit of 5 per cent of Iraq's proceeds from oil into the Compensation Fund established in accordance with Security Council resolution 687 (1991) and subsequent relevant resolutions, with a view to reducing that percentage as much as possible, since the deposit of such a high percentage creates a financial burden for Iraq at a time when it is in dire need of those funds to rebuild its infrastructure, which was destroyed during the wars waged by the previous regime. Furthermore, the increase in the price of oil means that the real amount represented by that 5 per cent is at least five times greater than it was.

The people of Iraq are determined to establish a stable and peaceful democracy. They are determined to develop a dynamic economy built on solid foundations and a creative vision. The people of Iraq need the support of the international community to make that vision a reality.

It is our understanding that the Security Council intends to include this letter as an annex to the resolution concerning Iraq that is currently being drafted. In the meantime, I should be grateful if you would have this letter circulated to the members of the esteemed Security Council as soon as possible.

Annex II

Letter dated 10 December 2007 from Ms. Condoleezza Rice, Secretary of State of the United States of America, to the President of the Security Council

Having reviewed the request of the Government of Iraq to extend the mandate of the Multinational Force (MNF) in Iraq and following consultations with the Government of Iraq, I am writing to confirm, consistent with this request, that MNF under unified command stands ready to continue to fulfil its mandate as set out in Security Council resolution 1546 (2004) and extended by Security Council resolutions 1637 (2005) and 1723 (2006).

Together, the Government of Iraq and MNF in Iraq combat the challenges that threaten Iraq's security and stability through a security partnership that has continued to improve and that has resulted in progress in the past year. This effective, cooperative partnership continues to evolve, as Iraqi security forces take leadership in fighting and deterring terrorism and other violent acts throughout Iraq. In the context of this partnership, MNF is prepared to continue to undertake a broad range of tasks to contribute to the maintenance of security and stability and to ensure force protection, acting under the authorities set forth in resolution 1546 (2004), including the tasks and arrangements set out in the letters annexed thereto, and in close cooperation with the Government of Iraq. The forces that make up MNF will remain committed to acting consistently with their obligations and rights under international law, including the law of armed conflict.

Iraqi security forces continue to make progress in developing their capabilities as they move into the lead in taking responsibility for Iraq's security. This year, the Iraqi Ground Forces Command has assumed control of all Iraqi Army divisions. Iraqi authorities and local security forces have assumed primary security responsibility in eight of Iraq's provinces, and we are working together for continued progress in transition of security responsibility in all of Iraq's 18 provinces. Together we will build towards the day when the Iraqi forces assume full responsibility for the maintenance of security and stability in Iraq.

In the coming year, MNF is ready to continue to participate in the maintenance of security and stability in Iraq, within the context of the growth in the capabilities of the Iraqi security forces and Iraq's successes in security, politics and the economy. MNF is prepared to work with the Government of Iraq to help it to achieve the objectives it has set for itself as an independent and sovereign State.

The co-sponsors intend to annex this letter to the resolution on Iraq that is under consideration. In the meantime, I request that you provide copies of this letter to members of the Security Council as quickly as possible.

Decisions

At its 5823rd meeting, on 21 January 2008, the Security Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled:

"The situation concerning Iraq

"Report of the Secretary-General pursuant to paragraph 6 of resolution 1770 (2007) (S/2008/19)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Staffan de Mistura, Special Representative of the Secretary-General for Iraq.

On 29 February 2008, the President of the Security Council addressed the following letter to the Secretary-General:[415]

"I have the honour to inform you that your letter dated 7 December 2007[416] and the accompanying note, and your letter dated 23 January 2008[417] and its annex, concerning the processing of letters of credit pertaining to the oil-for-food programme, have been brought to the attention of the members of the Security Council.

"The members of the Council continue to welcome the ongoing work of the United Nations Secretariat to bring to a complete and timely conclusion all outstanding issues related to the oil-for-food programme, which terminated on 31 December 2007.

"The members of the Council note the action taken by you to implement the decision of the Council in respect of the 17 letters of credit referred to in paragraph 16 of the note attached to your letter dated 25 July 2007.[408] They further note the transfer of $161 million of unencumbered funds to the Development Fund for Iraq, as set out in your letter of 23 January 2008.

"The members of the Council take note of the status of the United Nations Iraq Account, and of the status of letters of credit as at 31 December 2007.

"The members of the Council welcome the positive developments between the United Nations Secretariat and the relevant ministries and authorities of the Government of Iraq at the Working Group meetings held in Amman on 20 and 21 November 2007 and from 7 to 17 January 2008.

"The members of the Council call upon the Working Group to continue its efforts expeditiously to resolve all outstanding issues. In particular, the members of the Council call upon the Government of Iraq and its Central Bank to transmit by 31 March 2008 the necessary confirmations of arrival of goods for which there are no commercial disputes or for which there are commercial disputes that can be resolved in the meantime.

"The members of the Council also take note of your proposal to address unresolved issues, including the mechanism set out in paragraphs 17 to 65 of your note of 7 December 2007. The members of the Council request a further comprehensive report from you, no later than 15 March 2008, on progress achieved in reducing the number of outstanding letters of credit and any other outstanding issues. In the light of your report, the members of the Council will consider the procedures to be adopted by the United Nations Secretariat and the Government of Iraq to ensure the appropriate conclusion of the programme."

[415] S/2008/140.

[416] S/2007/725.

[417] S/2008/41.

At its 5878th meeting, on 28 April 2008, the Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled:

"The situation concerning Iraq

"Report of the Secretary-General pursuant to paragraph 6 of resolution 1770 (2007) (S/2008/266)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

On 23 May 2008, the President of the Security Council addressed the following letter to the Secretary-General:[418]

"I have the honour to inform you that your letter dated 9 May 2008 and the accompanying enclosure concerning the processing of letters of credit for the oil-for-food programme[419] have been brought to the attention of the members of the Security Council.

"The members of the Council take note of the proposal, also set out in the letter dated 13 May 2008 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Council,[420] that the time limit to resolve outstanding issues be extended until 30 June 2008.

"The members of the Council also note your recommendation, in the light of the proposal of the Government of Iraq, that the Working Group review the situation in July 2008. However, owing to the considerable amount of time being taken to bring the programme to a satisfactory conclusion, the members of the Council would request the Working Group to reconvene at a convenient time in June 2008, with a view to receiving an updated report from you as soon as possible in July 2008.

"The members of the Council affirm that, in the light of your report to be submitted in July 2008, they will, at that time, take the necessary decisions in order to conclude all outstanding issues and end the oil-for-food programme without the possibility of any further extensions.

"The members of the Council strongly encourage the Government of Iraq to do its utmost in the meantime, in liaison with the United Nations Secretariat, to expedite the processing of the remaining letters of credit.

"The members of the Council also take note of the possibility of transferring unencumbered funds to the Development Fund for Iraq. While the members of the Council recognize the availability, in principle, of such funds for the transfer to the Fund, in accordance with Council resolution 1483 (2003), they recommend that all unencumbered funds associated with the programme remain in the Iraq escrow account until such time as all outstanding issues are resolved."

At its 5910th meeting, on 13 June 2008, the Council decided to invite the representative of Iraq (Minister for Foreign Affairs) to participate, without vote, in the discussion of the item entitled "The situation concerning Iraq".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Ibrahim Gambari, Special Adviser on the International Compact with Iraq and Other

[418] S/2008/341.

[419] S/2008/318.

[420] S/2008/369.

Political Issues, and Mr. Warren Sach, Assistant Secretary-General for Programme Planning, Budget and Accounts and Controller.

On 27 June 2008, the President of the Security Council addressed the following letter to the Secretary-General:[421]

> "I have the honour to respond to your report of 9 June 2008 detailing the closing of the United Nations Monitoring, Verification and Inspection Commission.[422] Members of the Security Council support the actions and recommendations contained in the report regarding the disposition and safeguarding of the records and archives, strictly controlling access to archives provided by Member States in confidence or with proliferation potential and the disposition of non-expendable and other property. The Council would also like to thank the Professional and support staff of the United Nations Monitoring, Verification and Inspection Commission and the United Nations Special Commission established pursuant to Council resolution 687 (1991) for their dedicated and courageous work during the period of existence of the Special Commission and the Monitoring, Verification and Inspection Commission.
>
> "Members of the Council also welcome the report submitted to the Council on 30 May 2008 by the Government of Iraq pursuant to paragraph 3 of Council resolution 1762 (2007)."[423]

NON-PROLIFERATION[424]

Decisions

At its 5743rd meeting, on 19 September 2007, the Security Council considered the item entitled:

"Non-proliferation

> "Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Johan Verbeke, Chairman of the Security Council Committee established pursuant to resolution 1737 (2006).

At its 5807th meeting, on 18 December 2007, the Council considered the item entitled:

"Non-proliferation

> "Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)".

At its 5848th meeting, on 3 March 2008, the Council decided to invite the representatives of Germany and Iran (Islamic Republic of) to participate, without vote, in the discussion of the item entitled "Non-proliferation".

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[421] S/2008/423.

[422] S/2008/372.

[423] See S/2008/350, annex.

[424] Resolutions or decisions on this question were first adopted by the Security Council in 2006.

Resolution 1803 (2008) of 3 March 2008

The Security Council,

Recalling the statement by its President of 29 March 2006[425] and its resolutions 1696 (2006) of 31 July 2006, 1737 (2006) of 23 December 2006 and 1747 (2007) of 24 March 2007, and reaffirming their provisions,

Reaffirming its commitment to the Treaty on the Non-Proliferation of Nuclear Weapons[426] and the need for all States parties to the Treaty to comply fully with all their obligations, and recalling the right of States parties, in conformity with articles I and II of the Treaty, to develop research, production and use of nuclear energy for peaceful purposes without discrimination,

Recalling resolution GOV/2006/14 adopted by the Board of Governors of the International Atomic Energy Agency on 4 February 2006,[427] which states that a solution to the Iranian nuclear issue would contribute to global non-proliferation efforts and to realizing the objective of a Middle East free of weapons of mass destruction, including their means of delivery,

Noting with serious concern that, as confirmed in the reports of the Director General of the Agency of 23 May,[428] 30 August[429] and 15 November 2007[430] and 22 February 2008,[431] the Islamic Republic of Iran has not established full and sustained suspension of all enrichment-related and reprocessing activities and heavy water-related projects as set out in Security Council resolutions 1696 (2006), 1737 (2006) and 1747 (2007), nor resumed its cooperation with the Agency under the Additional Protocol, nor taken the other steps required by the Board of Governors, nor complied with the provisions of resolutions 1696 (2006), 1737 (2006) and 1747 (2007), which are essential to build confidence, and deploring the Islamic Republic of Iran's refusal to take these steps,

Noting with concern that the Islamic Republic of Iran has taken issue with the right of the Agency to verify design information which had been provided by the Islamic Republic of Iran pursuant to the modified Code 3.1, emphasizing that, in accordance with article 39 of the safeguards agreement between the Islamic Republic of Iran and the Agency,[432] Code 3.1 cannot be modified nor suspended unilaterally and that the Agency's right to verify design information provided to it is a continuing right which is not dependent on the stage of construction of, or the presence of nuclear material at, a facility,

Reiterating its determination to reinforce the authority of the Agency, strongly supporting the role of the Board of Governors, commending the Agency for its efforts to resolve outstanding issues relating to the Islamic Republic of Iran's nuclear programme in the work plan between the secretariat of the Agency and the Islamic Republic of Iran,[433] welcoming the progress in the implementation of the work plan, as reflected in the reports of the Director General of 15 November 2007 and 22 February 2008, underlining the importance of the Islamic Republic of Iran producing tangible results rapidly and effectively by completing implementation of the work plan, including by providing answers to all the questions the Agency asks so that the Agency, through the implementation of the required transparency measures, can assess the completeness and correctness of the Islamic Republic of Iran's declaration,

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[425] S/PRST/2006/15.

[426] United Nations, *Treaty Series*, vol. 729, No. 10485.

[427] See S/2006/80, annex.

[428] GOV/2007/22; see S/2007/303, annex.

[429] GOV/2007/48.

[430] GOV/2007/58.

[431] GOV/2008/4.

[432] United Nations, *Treaty Series*, vol. 954, No. 13637.

[433] GOV/2007/48, attachment.

Expressing the conviction that the suspension set out in paragraph 2 of resolution 1737 (2006) as well as full, verified Iranian compliance with the requirements set out by the Board of Governors would contribute to a diplomatic, negotiated solution that guarantees that the Islamic Republic of Iran's nuclear programme is for exclusively peaceful purposes,

Stressing that China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America are willing to take further concrete measures on exploring an overall strategy of resolving the Iranian nuclear issue through negotiation on the basis of their proposals of June 2006,[434] and noting the confirmation by those countries that, once the confidence of the international community in the exclusively peaceful nature of the Islamic Republic of Iran's nuclear programme is restored, it will be treated in the same manner as any non-nuclear-weapon State party to the Treaty on the Non-Proliferation of Nuclear Weapons,

Having regard to the rights and obligations of States relating to international trade,

Welcoming the guidance issued by the Financial Action Task Force to assist States in implementing their financial obligations under resolution 1737 (2006),

Determined to give effect to its decisions by adopting appropriate measures to persuade the Islamic Republic of Iran to comply with resolutions 1696 (2006), 1737 (2006) and 1747 (2007) and with the requirements of the Agency, and also to constrain the Islamic Republic of Iran's development of sensitive technologies in support of its nuclear and missile programmes, until such time as the Council determines that the objectives of those resolutions have been met,

Concerned by the proliferation risks presented by the Iranian nuclear programme and, in this context, by the Islamic Republic of Iran's continuing failure to meet the requirements of the Board of Governors and to comply with the provisions of resolutions 1696 (2006), 1737 (2006) and 1747 (2007), and mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

Acting under Article 41 of Chapter VII of the Charter,

1. *Reaffirms* that the Islamic Republic of Iran shall without further delay take the steps required by the Board of Governors of the International Atomic Energy Agency in its resolution GOV/2006/14,[427] which are essential to build confidence in the exclusively peaceful purpose of its nuclear programme and to resolve outstanding questions, and in this context affirms its decision that the Islamic Republic of Iran shall without delay take the steps required in paragraph 2 of resolution 1737 (2006), and underlines that the Agency has sought confirmation that the Islamic Republic of Iran will apply the modified Code 3.1;

2. *Welcomes* the agreement between the Islamic Republic of Iran and the Agency to resolve all outstanding issues concerning the Islamic Republic of Iran's nuclear programme[433] and progress made in this regard, as set out in the report of 22 February 2008 of the Director General of the Agency,[431] encourages the Agency to continue its work to clarify all outstanding issues, stresses that this would help to re-establish international confidence in the exclusively peaceful nature of the Islamic Republic of Iran's nuclear programme, and supports the Agency in strengthening its safeguards on the Islamic Republic of Iran's nuclear activities in accordance with the safeguards agreement between the Islamic Republic of Iran and the Agency;[432]

3. *Calls upon* all States to exercise vigilance and restraint regarding the entry into or transit through their territories of individuals who are engaged in, directly associated with or providing support for the Islamic Republic of Iran's proliferation-sensitive nuclear activities or for the development of nuclear weapon delivery systems, and decides in this regard that all States shall notify the Security Council Committee established pursuant to paragraph 18 of resolution 1737 (2006) (hereinafter "the Committee") of the entry into or transit through their territories of

[434] See S/2006/521, annex; see also resolution 1747 (2007), annex II.

the persons designated in the annex to resolution 1737 (2006), annex I to resolution 1747 (2007) or annex I to the present resolution, as well as of additional persons designated by the Council or the Committee as being engaged in, directly associated with or providing support for the Islamic Republic of Iran's proliferation-sensitive nuclear activities or for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the items in paragraphs 3 (*b*) (i) and (ii) of resolution 1737 (2006);

4. *Underlines* that nothing in paragraph 3 above requires a State to refuse its own nationals entry into its territory, and that all States shall, in the implementation of paragraph 3 above, take into account humanitarian considerations, including religious obligations, as well as the necessity to meet the objectives of the present resolution and resolutions 1737 (2006) and 1747 (2007), including where article XV of the statute of the Agency[435] is engaged;

5. *Decides* that all States shall take the necessary measures to prevent the entry into or transit through their territories of individuals designated in annex II to the present resolution as well as of additional persons designated by the Council or the Committee as being engaged in, directly associated with or providing support for the Islamic Republic of Iran's proliferation-sensitive nuclear activities or for the development of nuclear weapon delivery systems, including through the involvement in procurement of the prohibited items, goods, equipment, materials and technology specified by and under the measures in paragraphs 3 and 4 of resolution 1737 (2006), except where such entry or transit is for activities directly related to the items in paragraphs 3 (*b*) (i) and (ii) of resolution 1737 (2006) and provided that nothing in the present paragraph shall oblige a State to refuse its own nationals entry into its territory;

6. *Decides also* that the measures imposed by paragraph 5 above shall not apply where the Committee determines on a case-by-case basis that such travel is justified on the grounds of humanitarian need, including religious obligations, or where the Committee concludes that an exemption would otherwise further the objectives of the present resolution;

7. *Decides further* that the measures specified in paragraphs 12 to 15 of resolution 1737 (2006) shall apply also to the persons and entities listed in annexes I and III to the present resolution, and any persons or entities acting on their behalf or at their direction, and to entities owned or controlled by them and to persons and entities determined by the Council or the Committee to have assisted designated persons or entities in evading sanctions of, or in violating the provisions of, the present resolution, resolution 1737 (2006) or resolution 1747 (2007);

8. *Decides* that all States shall take the necessary measures to prevent the supply, sale or transfer directly or indirectly from their territories or by their nationals or using their flag vessels or aircraft to, or for use in or the benefit of, the Islamic Republic of Iran, and whether or not originating in their territories, of:

(*a*) All items, materials, equipment, goods and technology set out in INFCIRC/254/Rev.7/Part 2 in document S/2006/814, except the supply, sale or transfer, in accordance with the requirements of paragraph 5 of resolution 1737 (2006), of items, materials, equipment, goods and technology set out in sections 1 and 2 of the annex to that document, and sections 3 to 6 as notified in advance to the Committee, only when for exclusive use in light water reactors, and where such supply, sale or transfer is necessary for technical cooperation provided to the Islamic Republic of Iran by the Agency or under its auspices as provided for in paragraph 16 of resolution 1737 (2006);

(*b*) All items, materials, equipment, goods and technology set out in 19.A.3 of Category II in document S/2006/815;

[435] United Nations, *Treaty Series*, vol. 276, No. 3988.

9. *Calls upon* all States to exercise vigilance in entering into new commitments for public-provided financial support for trade with the Islamic Republic of Iran, including the granting of export credits, guarantees or insurance, to their nationals or entities involved in such trade, in order to avoid such financial support contributing to the proliferation-sensitive nuclear activities, or to the development of nuclear weapon delivery systems, as referred to in resolution 1737 (2006);

10. *Also calls upon* all States to exercise vigilance over the activities of financial institutions in their territories with all banks domiciled in the Islamic Republic of Iran, in particular with Bank Melli and Bank Saderat, and their branches and subsidiaries abroad, in order to avoid such activities contributing to the proliferation-sensitive nuclear activities, or to the development of nuclear weapon delivery systems, as referred to in resolution 1737 (2006);

11. *Further calls upon* all States, in accordance with their national legal authorities and legislation and consistent with international law, in particular the law of the sea and relevant international civil aviation agreements, to inspect the cargoes to and from the Islamic Republic of Iran of aircraft and vessels, at their airports and seaports, owned or operated by Iran Air Cargo and Islamic Republic of Iran Shipping Line, provided that there are reasonable grounds to believe that the aircraft or vessel is transporting goods prohibited under the present resolution or resolution 1737 (2006) or resolution 1747 (2007);

12. *Requires* all States, in cases when inspection mentioned in paragraph 11 above is undertaken, to submit to the Council within five working days a written report on the inspection containing, in particular, an explanation of the grounds for the inspection, as well as information on its time, place, circumstances, results and other relevant details;

13. *Calls upon* all States to report to the Committee within sixty days of the adoption of the present resolution on the steps they have taken with a view to implementing effectively paragraphs 3, 5 and 7 to 11 above;

14. *Decides* that the mandate of the Committee as set out in paragraph 18 of resolution 1737 (2006) shall also apply to the measures imposed in resolution 1747 (2007) and the present resolution;

15. *Stresses* the willingness of China, France, Germany, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America to further enhance diplomatic efforts to promote resumption of dialogue, and consultations on the basis of their offer to the Islamic Republic of Iran, with a view to seeking a comprehensive, long-term and proper solution of this issue which would allow for the development of all-round relations and wider cooperation with the Islamic Republic of Iran based on mutual respect and the establishment of international confidence in the exclusively peaceful nature of the Islamic Republic of Iran's nuclear programme, and inter alia, starting direct talks and negotiation with the Islamic Republic of Iran as long as the Islamic Republic of Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the Agency;

16. *Encourages* the High Representative for the Common Foreign and Security Policy of the European Union to continue communication with the Islamic Republic of Iran in support of political and diplomatic efforts to find a negotiated solution, including relevant proposals by China, France, Germany, the Russian Federation, the United Kingdom and the United States, with a view to creating the necessary conditions for resuming talks;

17. *Emphasizes* the importance of all States, including the Islamic Republic of Iran, taking the necessary measures to ensure that no claim shall lie at the instance of the Government of the Islamic Republic of Iran, or of any person or entity in the Islamic Republic of Iran, or of persons or entities designated pursuant to resolution 1737 (2006) and related resolutions, or any person claiming through or for the benefit of any such person or entity, in connection with any contract or other transaction where its performance was prevented by reason of the measures imposed by the present resolution, resolution 1737 (2006) or resolution 1747 (2007);

18. *Requests* within ninety days a further report from the Director General of the Agency on whether the Islamic Republic of Iran has established full and sustained suspension of all activities mentioned in resolution 1737 (2006), as well as on the process of Iranian compliance with all the steps required by the Board of Governors of the Agency and with the other provisions of resolutions 1737 (2006) and 1747 (2007) and the present resolution, to the Board and, in parallel, to the Council for its consideration;

19. *Reaffirms* that it shall review the actions of the Islamic Republic of Iran in the light of the report referred to in paragraph 18 above, and:

(*a*) That it shall suspend the implementation of measures if and for so long as the Islamic Republic of Iran suspends all enrichment-related and reprocessing activities, including research and development, as verified by the Agency, to allow for negotiations in good faith in order to reach an early and mutually acceptable outcome;

(*b*) That it shall terminate the measures specified in paragraphs 3 to 7 and 12 of resolution 1737 (2006), as well as in paragraphs 2 and 4 to 7 of resolution 1747 (2007) and in paragraphs 3, 5 and 7 to 11 above as soon as it determines, following receipt of the report referred to in paragraph 18 above, that the Islamic Republic of Iran has fully complied with its obligations under the relevant resolutions of the Council and met the requirements of the Board of Governors, as confirmed by the Board;

(*c*) That it shall, in the event that the report shows that the Islamic Republic of Iran has not complied with resolutions 1696 (2006), 1737 (2006) and 1747 (2007) and the present resolution, adopt further appropriate measures under Article 41 of Chapter VII of the Charter of the United Nations to persuade the Islamic Republic of Iran to comply with these resolutions and the requirements of the Agency, and underlines that further decisions will be required should such additional measures be necessary;

20. *Decides* to remain seized of the matter.

Adopted at the 5848th meeting
by 14 votes to none, with 1 abstention
(Indonesia).

Annex I

1. Amir Moayyed Alai (involved in managing the assembly and engineering of centrifuges)

2. Mohammad Fedai Ashiani (involved in the production of ammonium uranyl carbonate and management of the Natanz enrichment complex)

3. Abbas Rezaee Ashtiani (a senior official at the AEOI Office of Exploration and Mining Affairs)

4. Haleh Bakhtiar (involved in the production of magnesium at a concentration of 99.9%)

5. Morteza Behzad (involved in making centrifuge components)

6. Dr. Mohammad Eslami (Head of Defence Industries Training and Research Institute)

7. Seyyed Hussein Hosseini (AEOI official involved in the heavy water research reactor project at Arak)

8. M. Javad Karimi Sabet (Head of Novin Energy Company, which is designated under resolution 1747 (2007))

9. Hamid-Reza Mohajerani (involved in production management at the Uranium Conversion Facility (UCF) at Esfahan)

10. Brigadier-General Mohammad Reza Naqdi (former Deputy Chief of Armed Forces General Staff for Logistics and Industrial Research/Head of State Anti-Smuggling Headquarters, engaged in efforts to get round the sanctions imposed by resolutions 1737 (2006) and 1747 (2007))

11. Houshang Nobari (involved in the management of the Natanz enrichment complex)

12. Abbas Rashidi (involved in enrichment work at Natanz)

13. Ghasem Soleymani (Director of Uranium Mining Operations at the Saghand Uranium Mine)

Annex II

A. Individuals listed in resolution 1737 (2006)

1. Mohammad Qannadi, AEOI Vice President for Research & Development

2. Dawood Agha-Jani, Head of the PFEP (Natanz)

3. Behman Asgarpour, Operational Manager (Arak)

B. Individuals listed in resolution 1747 (2007)

1. Seyed Jaber Safdari (Manager of the Natanz Enrichment Facilities)

2. Amir Rahimi (Head of Esfahan Nuclear Fuel Research and Production Center, which is part of the AEOI's Nuclear Fuel Production and Procurement Company, which is involved in enrichment-related activities)

Annex III

1. Abzar Boresh Kaveh Co. (BK Co.) (involved in the production of centrifuge components)

2. Barzagani Tejarat Tavanmad Saccal companies (subsidiary of Saccal System companies) (this company tried to purchase sensitive goods for an entity listed in resolution 1737 (2006))

3. Electro Sanam Company (E. S. Co./E. X. Co.) (AIO front company, involved in the ballistic missile programme)

4. Ettehad Technical Group (AIO front company, involved in the ballistic missile programme)

5. Industrial Factories of Precision (IFP) Machinery (aka Instrumentation Factories Plant) (used by AIO for some acquisition attempts)

6. Jabber Ibn Hayan (AEOI laboratory involved in fuel-cycle activities)

7. Joza Industrial Co. (AIO front company, involved in the ballistic missile programme)

8. Khorasan Metallurgy Industries (subsidiary of the Ammunition Industries Group (AMIG) which depends on DIO. Involved in the production of centrifuge components)

9. Niru Battery Manufacturing Company (subsidiary of the DIO. Its role is to manufacture power units for the Iranian military, including missile systems)

10. Pishgam (Pioneer) Energy Industries (has participated in construction of the Uranium Conversion Facility at Esfahan)

11. Safety Equipment Procurement (SEP) (AIO front company, involved in the ballistic missile programme)

12. TAMAS Company (involved in enrichment-related activities. TAMAS is the overarching body, under which four subsidiaries have been established, including one for uranium extraction to concentration and another in charge of uranium processing, enrichment and waste)

Decisions

At its 5853rd meeting, on 17 March 2008, the Security Council considered the item entitled:

"Non-proliferation

"Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)".

At its 5909th meeting, on 13 June 2008, the Council considered the item discussed at the 5853rd meeting.

THE SITUATION IN MYANMAR[436]

Decisions

At its 5753rd meeting, on 5 October 2007, the Security Council decided to invite the representatives of Myanmar and Singapore to participate, without vote, in the discussion of the item entitled:

"The situation in Myanmar

"Letter dated 3 October 2007 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/2007/590)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahim Gambari, Special Adviser to the Secretary-General on Myanmar.

At its 5757th meeting, on 11 October 2007, the Council considered the item entitled "The situation in Myanmar".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[437]

"The Security Council welcomes the recent mission by the Special Adviser to the Secretary-General on Myanmar, Mr. Ibrahim Gambari, reaffirms its strong and unwavering support for the Secretary-General's good offices mission as mandated by the General Assembly in its resolution 61/232 of 22 December 2006, and expresses its appreciation for the personal engagement of the Secretary-General.

"The Council strongly deplores the use of violence against peaceful demonstrations in Myanmar and welcomes Human Rights Council resolution S-5/1 of 2 October 2007.[438] The Council emphasizes the importance of the early release of all political prisoners and remaining detainees. It also calls upon the Government of Myanmar and all other parties concerned to work together towards a de-escalation of the situation and a peaceful solution.

"The Council stresses the need for the Government of Myanmar to create the necessary conditions for a genuine dialogue with Daw Aung San Suu Kyi and all concerned parties and ethnic groups in order to achieve an inclusive national reconciliation with the direct support of the United Nations. The Council encourages the Government to consider

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[436] Resolutions or decisions on this question were first adopted by the Security Council in 2006.

[437] S/PRST/2007/37.

[438] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. IV.

seriously Mr. Gambari's recommendations and proposals. The Council also calls upon the Government to take all necessary measures to address the political, economic, humanitarian and human rights issues that are the concern of its people and emphasizes that the future of Myanmar lies in the hands of all of its people.

"The Council welcomes the public commitment by the Government of Myanmar to work with the United Nations and the appointment of a liaison officer with Daw Aung San Suu Kyi. The Council stresses the importance that such commitments be followed by action. It acknowledges that the Government had invited Mr. Gambari to Myanmar. It underscores its support for his return as early as possible in order to facilitate concrete actions and tangible results. The Council urges the Government and all parties concerned to cooperate fully with Mr. Gambari.

"The Council welcomes the important role played by the countries of the Association of Southeast Asian Nations in urging restraint, calling for a peaceful transition to democracy and supporting the good offices mission. It notes that the good offices mission is a process, and encourages the sustained support and engagement of the international community in helping Myanmar.

"The Council remains seized of the matter."

At its 5777th meeting, on 13 November 2007, the Council decided to invite the representatives of Japan, Myanmar and Singapore to participate, without vote, in the discussion of the item entitled "The situation in Myanmar".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahim Gambari, Special Adviser to the Secretary-General on Myanmar.

At its 5854th meeting, on 18 March 2008, the Council decided to invite the representative of Myanmar to participate, without vote, in the discussion of the item entitled "The situation in Myanmar".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ibrahim Gambari, Special Adviser to the Secretary-General on Myanmar.

At its 5885th meeting, on 2 May 2008, the Council considered the item entitled "The situation in Myanmar".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[439]

"The Security Council reaffirms the statement made by its President on 11 October 2007[437] and the statement made by its President to the press on 14 November 2007,[440] and all the expectations expressed in those statements.

"The Council takes note of the announcement by the Government of Myanmar of a referendum on a draft constitution in May 2008 and elections in 2010. It further notes the commitment by the Government to ensure that the referendum process will be free and fair. The Council underlines the need for the Government to establish the conditions and create an atmosphere conducive to an inclusive and credible process, including the full participation of all political actors and respect for fundamental political freedoms.

"The Council reaffirms its unwavering support for the Secretary-General's good offices mission and expresses its appreciation for the work of his Special Adviser on

[439] S/PRST/2008/13.

[440] SC/9171.

Myanmar, Mr. Ibrahim Gambari. The Council encourages the Government of Myanmar and all parties concerned to cooperate fully with the United Nations.

"The Council welcomes the important role that the countries of the Association of Southeast Asian Nations continue to play in supporting the United Nations good offices mission.

"The Council affirms its commitment to the sovereignty and territorial integrity of Myanmar and, in that context, reiterates that the future of Myanmar lies in the hands of all of its people.

"The Council remains seized of the matter."

LETTER DATED 22 NOVEMBER 2006 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL[441]

Decision

At its 5825th meeting, on 23 January 2008, the Security Council decided to invite the representative of Nepal to participate, without vote, in the discussion of the item entitled:

"Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)

"Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2008/5)".

Resolution 1796 (2008) of 23 January 2008

The Security Council,

Recalling its resolution 1740 (2007) of 23 January 2007,

Recalling also the signing on 21 November 2006 by the Government of Nepal and the Communist Party of Nepal (Maoist) of the Comprehensive Peace Agreement, and the stated commitment of both parties to transforming the existing ceasefire into a permanent and sustainable peace, and commending the steps taken to date to implement the Agreement,

Reaffirming the sovereignty, territorial integrity and political independence of Nepal and its ownership of the implementation of the Comprehensive Peace Agreement and subsequent agreements,

Expressing its continued readiness to support the peace process in Nepal in the timely and effective implementation of the Comprehensive Peace Agreement and subsequent agreements,

Recognizing the strong desire of the Nepalese people for peace and the restoration of democracy and the importance in this respect of the implementation of the Comprehensive Peace Agreement and subsequent agreements,

Recognizing also that civil society can play an important role in conflict prevention,

Welcoming the report of the Secretary-General of 3 January 2008 on the United Nations Mission in Nepal, in accordance with his mandate,[442]

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[441] Resolutions or decisions on this question were first adopted by the Security Council in 2006.

[442] S/2008/5.

Welcoming also the 23-point agreement reached by the Seven-Party Alliance on 23 December 2007 with a view to holding Constituent Assembly elections on 10 April 2008, and recognizing that the challenging timelines set out in the agreement will require efforts among all the parties to build mutual confidence,

Recognizing the need to pay special attention to the needs of women, children and traditionally marginalized groups in the peace process, as mentioned in the Comprehensive Peace Agreement and Security Council resolution 1325 (2000) of 31 October 2000,

Echoing the call by the Secretary-General for all parties in Nepal to move forward swiftly in the implementation of the agreements reached,

Noting that the Government of Nepal, in its letter dated 18 December 2007 to the Secretary-General,[443] recognizes the contribution of the Mission and requests an extension of the mandate for six months,

Welcoming the completion of the two phases of the verification process and continuing assistance with the management of arms and armed personnel of both sides in accordance with resolution 1740 (2007) and in line with the provisions of the Comprehensive Peace Agreement, noting the importance of a durable long-term solution in helping to create the conditions for the completion of the activities of the Mission, and noting too in this regard the need to address outstanding issues, including those relating to minors,

Expressing its appreciation for the efforts of the Special Representative of the Secretary-General in Nepal and his team in the Mission, and the United Nations country team, including the Office of the United Nations High Commissioner for Human Rights, which is monitoring human rights at the request of the Government of Nepal, and stressing the need for coordination and complementarity of efforts between the Mission and all the United Nations actors in the Mission area,

1. *Decides*, following the request of the Government of Nepal[443] and based on the recommendation of the Secretary-General, to renew the mandate of the United Nations Mission in Nepal, as set out in resolution 1740 (2007), until 23 July 2008;

2. *Expresses its full support* for the Comprehensive Peace Agreement, and calls upon all parties to maintain momentum in the implementation of the Agreement, to continue constructive engagement with the United Nations, including reaching an early status-of-mission agreement, and to work together to progress to Constituent Assembly elections;

3. *Encourages* all parties to take full advantage of the expertise and readiness of the Mission, within its existing mandate, to support the peace process;

4. *Requests* the Secretary-General to keep the Security Council regularly informed of progress towards the implementation of the present resolution and, in particular, to review the activities of the Mission in the light of the elections scheduled for 10 April 2008, taking into account the views of the Government of Nepal and the developments on the ground;

5. *Requests* the parties in Nepal to take the necessary steps to promote the safety, security and freedom of movement of Mission and associated personnel in executing the tasks defined in the mandate;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 5825th meeting.

[443] S/2007/789, annex.

Decisions

At its 5938th meeting, on 18 July 2008, the Security Council decided to invite the representatives of India, Japan and Nepal to participate, without vote, in the discussion of the item entitled:

> "Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)
>
> > "Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2008/454)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ian Martin, Special Representative of the Secretary-General in Nepal and Head of the United Nations Mission in Nepal.

At its 5941st meeting, on 23 July 2008, the Council decided to invite the representative of Nepal to participate, without vote, in the discussion of the item entitled:

> "Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council (S/2006/920)
>
> > "Report of the Secretary-General on the request of Nepal for United Nations assistance in support of its peace process (S/2008/454)".

Resolution 1825 (2008) of 23 July 2008

The Security Council,

Recalling its resolutions 1740 (2007) of 23 January 2007 and 1796 (2008) of 23 January 2008,

Reaffirming the sovereignty, territorial integrity and political independence of Nepal and its ownership of the implementation of the Comprehensive Peace Agreement and subsequent agreements,

Recalling the signing on 21 November 2006 by the Government of Nepal and the Communist Party of Nepal (Maoist) of the Comprehensive Peace Agreement, and the stated commitment of both parties to find a permanent and sustainable peace, and commending the steps taken to date to implement the Agreement,

Acknowledging the strong desire of the Nepalese people for peace and the restoration of democracy and the importance in this respect of the implementation of the Comprehensive Peace Agreement and subsequent agreements by the relevant parties,

Expressing its continued readiness to support the peace process in Nepal in the timely and effective implementation of the Comprehensive Peace Agreement and subsequent agreements, in particular the agreement of 25 June 2008, as requested by the Government of Nepal,

Welcoming the successful conclusion of the Constituent Assembly elections on 10 April 2008, and the progress made by the parties since the formation of the Assembly in working towards a democratic government, including the decision made at the first session of the Assembly to establish Nepal as a federal democratic republic,

Welcoming also the prospect of the formation of a democratically elected government and institutions in Nepal,

Echoing the call by the Secretary-General for all parties in Nepal to move forward swiftly in the implementation of the agreements reached, noting the assessment of the Secretary-General that the United Nations Mission in Nepal will be well placed to assist in the management of arms and armed personnel in accordance with the agreement of 25 June 2008 between the political

parties, and recognizing the willingness of the Mission to assist the parties in this, as requested, in order to achieve a durable solution,

Welcoming the report of the Secretary-General of 10 July 2008 on the Mission, in accordance with his mandate,[444]

Welcoming also the completion of the two phases of the verification process and continuing assistance with the management of arms and armed personnel of both sides in accordance with resolution 1740 (2007) and in line with the provisions of the Comprehensive Peace Agreement, noting the importance of a durable long-term solution in helping to create the conditions for the completion of the activities of the Mission, and noting also in this regard the need to address outstanding issues, including the release of minors in cantonment sites and continued reporting on this issue as required under resolution 1612 (2005) of 26 July 2005,

Noting with appreciation that, with the successful holding of the Constituent Assembly elections, some of the elements of the mandate relating to the Mission as set out in resolution 1740 (2007) have already been accomplished,

Taking note of the letter dated 8 July 2008 from the Government of Nepal to the Secretary-General,[445] in which it recognizes the contribution of the Mission and requests an extension of the Mission at a smaller scale to carry out the remainder of the mandate for six months,

Recognizing the need to pay special attention to the needs of women, children and traditionally marginalized groups in the peace process, as mentioned in the Comprehensive Peace Agreement and in resolution 1325 (2000) of 31 October 2000,

Recognizing also that civil society can play an important role in democratic transition and conflict prevention,

Expressing its appreciation for the efforts of the Special Representative of the Secretary-General in Nepal and his team in the Mission, and the United Nations country team, including the Office of the United Nations High Commissioner for Human Rights, which is monitoring human rights at the request of the Government of Nepal, and stressing the need for coordination and complementarity of efforts between the Mission and all the United Nations actors in the Mission area, particularly in order to ensure continuity, as the mandate comes to an end,

1. *Decides*, in line with the request of the Government of Nepal[445] and the recommendations of the Secretary-General, to renew the mandate of the United Nations Mission in Nepal, as established under resolution 1740 (2007), until 23 January 2009, taking into account the completion of some elements of the mandate, and the ongoing work on the monitoring of the management of arms and armed personnel in line with the agreement of 25 June 2008 among the political parties, which will support the completion of the peace process;

2. *Calls upon* all parties to take full advantage of the expertise and readiness of the Mission, within its mandate, to support the peace process to facilitate the completion of outstanding aspects of the mandate of the Mission;

3. *Concurs* with the view of the Secretary-General that the current monitoring arrangements should not be necessary for a substantial further period, and expects to see them concluded within the period of this mandate;

4. *Endorses* the recommendations of the Secretary-General for a phased, gradual drawdown and withdrawal of Mission staff, including arms monitors;

[444] S/2008/454.

[445] S/2008/476, annex.

5. *Requests* the Secretary-General to keep the Security Council informed of progress towards implementation of the present resolution and to submit a report on this and the implications for the Mission no later than 31 October 2008;

6. *Calls upon* the Government of Nepal to continue to take the necessary decisions to create conditions conducive to the completion of the activities of the Mission by the end of the current mandate, including through implementation of the agreement of 25 June 2008, in order to facilitate the withdrawal of the Mission from Nepal;

7. *Calls upon* all parties in Nepal to work together in a spirit of cooperation, consensus and compromise in order to continue the transition to a durable long-term solution to enable the country to move to a peaceful, democratic and more prosperous future;

8. *Requests* the parties in Nepal to take the necessary steps to promote the safety, security and freedom of movement of Mission and associated personnel in executing the tasks defined in the mandate;

9. *Decides* to remain seized of the matter.

Adopted unanimously at the 5941st meeting.

MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY: ROLE OF THE SECURITY COUNCIL IN SUPPORTING SECURITY SECTOR REFORM[446]

Decisions

At its 5889th meeting, on 12 May 2008, the Security Council decided to invite the representative of Slovakia (Minister for Foreign Affairs) to participate, without vote, in the discussion of the item entitled:

"Maintenance of international peace and security: role of the Security Council in supporting security sector reform

"Report of the Secretary-General on securing peace and development: the role of the United Nations in supporting security sector reform (S/2008/39)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Yukio Takasu, Chairperson of the Peacebuilding Commission and Permanent Representative of Japan to the United Nations.

At its 5890th meeting, on 12 May 2008, the Council considered the item entitled:

"Maintenance of international peace and security: role of the Security Council in supporting security sector reform

"Report of the Secretary-General on securing peace and development: the role of the United Nations in supporting security sector reform (S/2008/39)".

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[446] Resolutions or decisions on this question were first adopted by the Security Council during the period from 1 January to 31 July 2007.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[447]

"The Security Council recalls the statement by its President of 20 February 2007[448] and emphasizes that security sector reform is an essential element of any stabilization and reconstruction process in post-conflict environments. The Council recognizes that the establishment of an effective, professional and accountable security sector is one of the necessary elements for laying the foundations for peace and sustainable development.

"The Council welcomes the efforts of the Secretary-General on security sector reform and takes note of his report entitled 'Securing peace and development: the role of the United Nations in supporting security sector reform' of 23 January 2008.[449]

"The Council commends Slovakia and South Africa for their joint initiative in holding the workshop entitled 'International Workshop on Enhancing United Nations Support for Security Sector Reform in Africa: Towards an African Perspective' in Cape Town, South Africa, on 7 and 8 November 2007 and takes note of the letter dated 20 November 2007 from the Permanent Representatives of Slovakia and South Africa to the United Nations addressed to the Secretary-General.[450] The Council encourages further similar activities.

"The Council recognizes that security sector reform is a long-term process and reiterates that it is the sovereign right and primary responsibility of the country concerned to determine its national approach and priorities for security sector reform. It should be a nationally owned process that is rooted in the particular needs and conditions of the country in question. The Council underlines that the strong support of the United Nations and the international community is also critical in strengthening national capacities, thereby reinforcing national ownership, which is crucial for the sustainability of the process.

"The Council recognizes the important role that the United Nations has played in supporting national security sector reform efforts and underlines the need for its continued engagement. In this regard, the Council emphasizes the need to develop a holistic and coherent United Nations approach to security sector reform as recommended by the Secretary-General, in close consultation with Member States.

"The Council underlines that United Nations support to security sector reform must take place within a broad framework of the rule of law and should contribute to the overall strengthening of the United Nations rule of law activities as well as wider reconstruction and development efforts. This will require coordination with all relevant United Nations actors, in particular the Rule of Law Coordination and Resource Group, to ensure coherence of approach.

"The Council emphasizes the important role that the Peacebuilding Commission, through its integrated peacebuilding strategies, can play in ensuring continuous international support to countries emerging from conflict. The Council also recognizes the importance of continued close cooperation and partnerships with non-United Nations actors, in particular regional, subregional and other intergovernmental organizations, including international financial institutions and bilateral donors, as well as non-governmental organizations.

"The Council requests the Secretary-General to continue to include, wherever appropriate, recommendations related to security sector reform in his periodic reports on United Nations operations mandated by the Council."

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[447] S/PRST/2008/14.

[448] S/PRST/2007/3.

[449] S/2008/39.

[450] S/2007/687.

UNITED NATIONS REGIONAL CENTRE FOR PREVENTIVE DIPLOMACY FOR CENTRAL ASIA[451]

Decision

On 30 April 2008, the President of the Security Council addressed the following letter to the Secretary-General:[452]

> "I have the honour to inform you that your letter dated 28 April 2008 concerning your intention to appoint Mr. Miroslav Jenča, of Slovakia, as your Special Representative and Head of the United Nations Regional Centre for Preventive Diplomacy for Central Asia in Ashgabat[453] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY[454]

Decisions

At its 5735th meeting, on 28 August 2007, the Security Council decided to invite the representatives of Algeria, Argentina, Benin, Canada, Croatia, the Democratic Republic of the Congo, Gabon, Guatemala, Honduras, Japan, Kenya, the Libyan Arab Jamahiriya, Namibia, Norway, Portugal, the Sudan, Switzerland, Uganda, the United Republic of Tanzania and Viet Nam to participate, without vote, in the discussion of the item entitled:

"Maintenance of international peace and security

> "Role of the Security Council in conflict prevention and resolution, in particular in Africa
>
> "Letter dated 14 August 2007 from the Chargé d'affaires a.i. of the Permanent Mission of the Congo to the United Nations addressed to the Secretary-General (S/2007/496)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Léo Mérorès, on behalf of the President of the General Assembly, and Mr. Leslie Kojo Christian, Acting Chairperson of the Organizational Committee of the Peacebuilding Commission.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[455]

> "The Security Council, bearing in mind its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations, acknowledges the importance of the settlement of disputes by peaceful means and promoting necessary preventive action in response to threats to international peace and security.
>
> "The Council recognizes the important role of regional organizations in the prevention, management and resolution of conflicts in accordance with Chapter VIII of the Charter as

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[451] Resolutions or decisions on this question were first adopted by the Security Council during the period from 1 January to 31 July 2007.

[452] S/2008/286.

[453] S/2008/285.

[454] Resolutions or decisions on this question were first adopted by the Security Council during the period from 1 January to 31 July 2007.

[455] S/PRST/2007/31.

well as its relevant resolutions and statements by its President. In this regard it welcomes the increasing cooperation between the United Nations and the African Union.

"The Council recalls that the prevention of conflict remains a primary responsibility of Member States.

"The Council reaffirms its commitment to the full and effective implementation of its resolution 1625 (2005) on conflict prevention, particularly in Africa, requests the Secretary-General to report to the Council within sixty days on options for the further implementation of resolution 1625 (2005), and recalls the relevant statements by its President, in particular those made on 20 September,[456] 16 November[457] and 20 December 2006[458] and 8 January,[459] 20 February,[460] 28 March,[461] 25 June[462] and 29 June 2007.[463]

"The Council also stresses the need to carry out efforts to increase women's participation as contributors and beneficiaries in conflict prevention and peacebuilding. In this regard, it calls for the further implementation of its resolution 1325 (2000).

"The Council notes the varied nature of conflicts, which involve not only conflicts between States and within States, but also new emerging threats, and thus reiterates its determination to strengthen its role in preventing and resolving conflict in all its forms.

"The Council recalls the previous statements by its President concerning the various factors and causes that play a role in inciting, worsening or prolonging conflicts in Africa, and in particular the factors and causes that have been highlighted and addressed by the Council.

"The Council supports the comprehensive and global approach recommended by the Secretary-General in his report on the prevention of armed conflict,[464] namely, structural prevention, to address the root causes of conflict; operational prevention, to ensure the effective operation of early warning mechanisms, mediation, humanitarian access and response, the protection of civilians and targeted sanctions in the face of immediate crises; and systemic prevention, to prevent existing conflicts from spilling over into other States.

"In this context, effective coordination between and within United Nations organs, programmes, funds and agencies involved in policy formulation and implementation is vital for ensuring better coherence of the existing mechanisms and the appropriate balance between peacekeeping operations and preventive activities. Such coordination should be undertaken taking into consideration the ongoing debate on how to improve systemic coherence within the United Nations.

"The Council welcomes recent developments regarding the long-term prevention of conflict, including best practice and policy work on security sector reform, disarmament, demobilization and reintegration, transitional justice and the rule of law, electoral practices, peacebuilding, democratic governance, development, humanitarian assistance and protection, and safe and voluntary return of refugees and internally displaced persons. The Council encourages further progress and greater coherence on these issues, and requests the Secretary-General to include in the report requested above proposals on how better to

[456] S/PRST/2006/39.
[457] S/PRST/2006/45.
[458] S/PRST/2006/57.
[459] S/PRST/2007/1.
[460] S/PRST/2007/3.
[461] S/PRST/2007/7.
[462] S/PRST/2007/22.
[463] S/PRST/2007/24.
[464] A/60/891.

coordinate the positions and expertise of the relevant United Nations organs, programmes, funds and agencies, including through regular interaction with the Member States.

"The Council notes the recommendations contained in the report of the Secretary-General on the prevention of armed conflict, welcomes the efforts that have been made to strengthen the risk assessment and conflict prevention capacities of the United Nations, and encourages the Secretary-General to continue those efforts in order to improve the United Nations' early warning, mediation support and other preventive activities in Africa and around the world. In this connection, the Council stresses the crucial role of the Special Advisers of the Secretary-General on the Prevention of Genocide and on matters relating to the prevention and resolution of conflict as well as, where appropriate, the contribution of United Nations bodies such as the Peacebuilding Commission and the Human Rights Council.

"The Council welcomes the fact that the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa has taken the initiative of giving greater thought to these questions and has taken a special interest in the problem of the elaboration of an effective global conflict prevention strategy – the subject of a seminar to be held in November 2007.

"The Council stresses the importance of a regional approach to conflict prevention, as applicable, and in this connection welcomes the growing contribution being made by regional organizations in addressing issues of peace and security, and looks forward to the report of the Secretary-General, in consultation with the relevant regional organizations, in particular the African Union, and pursuant to the statement by the President of the Security Council of 28 March 2007,[465] on specific proposals on how the United Nations can better support arrangements for further cooperation and coordination with regional organizations on Chapter VIII arrangements in order to contribute significantly to the common security challenges in the areas of concern and to promote the deepening and broadening of dialogue and cooperation between the Security Council and the Peace and Security Council of the African Union.

"The Security Council underlines the need for a stronger and more structured relationship between itself and the Peace and Security Council contributing to the achievement of the goals of peace and stability in the context of the arrangements provided for in Chapter VIII of the Charter. The Security Council thus welcomes the agreement reached between the United Nations and the African Union at Addis Ababa on 16 November 2006, which consolidates the basis of partnership necessary to address the underlying causes of conflict.[465] The Council also reaffirms the joint communiqué agreed with the Peace and Security Council on 16 June 2007.[466]

"The Security Council welcomes the work done by the African Union to set up its Panel of the Wise and Continental Early Warning System, which are key components of the African Peace and Security Architecture.

"The Council also recognizes the important contribution of subregional bodies and underscores the need for African subregional bodies to enhance their capacities in early warning and conflict prevention in order to allow these important actors to respond more promptly to the emerging threats to security in their areas.

"At the same time, the Council encourages Member States to make further efforts to ensure adequate consultation between civil society and national institutions, on the one hand, and the United Nations and the international community, on the other hand, so as to be better equipped to address the global character of questions of peace and security."

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[465] A/61/630, annex.

[466] S/2007/386, annex.

THE SITUATION IN CHAD, THE CENTRAL AFRICAN REPUBLIC AND THE SUBREGION

Decisions

At its 5734th meeting, on 27 August 2007, the Security Council considered the item entitled:

"The situation in Chad, the Central African Republic and the subregion

"Report of the Secretary-General on Chad and the Central African Republic (S/2007/488)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[467]

"The Security Council reiterates its concern about the prevailing insecurity along the borders between the Sudan, Chad and the Central African Republic and about the threat which this poses to the civilian population and the conduct of humanitarian operations.

"Following the adoption of resolution 1769 (2007), the Council welcomes the report of the Secretary-General of 10 August 2007,[468] which proposes a revised concept of operations for a multidimensional presence aimed at contributing to the protection of refugees, internally displaced persons and civilian populations at risk in eastern Chad and the north-eastern Central African Republic as well as facilitating the provision of humanitarian assistance.

"The Council takes note of the observations and proposals of the Secretary-General relating to military elements of the multidimensional presence. It welcomes the readiness of the European Union, expressed at the meeting of the Council of the European Union held on 23 and 24 July 2007, to consider the establishment of an operation in support of the United Nations presence in eastern Chad and the north-eastern Central African Republic.

"The Security Council encourages the Secretary-General and the European Union, as appropriate and in consultation with the Governments of Chad and the Central African Republic, to proceed with preparations for the multidimensional presence. It requests the Secretary-General to study, in consultation with the Governments of Chad and the Central African Republic, the follow-on arrangements for the multidimensional presence after a period of 12 months, in particular on the basis of a joint assessment of requirements to be conducted by the United Nations and the European Union six months after the deployment of the multidimensional presence.

"The Council expresses its readiness to authorize the establishment of a multidimensional presence in eastern Chad and the north-eastern Central African Republic, taking into account the recommendations contained in the report of the Secretary-General and the position of the Governments of Chad and the Central African Republic.

"The Council encourages the Secretary-General and the European Union to continue to collaborate with the African Union and regional stakeholders in support of the ongoing process of improving the security situation in the Sudan, Chad and the Central African Republic.

"The Council requests the Secretary-General to continue to keep it closely informed of the preparations for each element of the multidimensional presence, including further details on the structure, modalities and force levels.

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[467] S/PRST/2007/30.

[468] S/2007/488.

"The Council welcomes the signing on 13 August 2007 at N'Djamena of the Political Agreement for the reinforcement of the democratic process in Chad. It encourages the authorities and political stakeholders in Chad and the Central African Republic to pursue their efforts at national dialogue, with respect for the constitutional framework."

At its 5748th meeting, on 25 September 2007, the Council decided to invite the representatives of the Central African Republic (Minister for Foreign Affairs) and Chad (Minister for Foreign Affairs) to participate, without vote, in the discussion of the item entitled:

"The situation in Chad, the Central African Republic and the subregion

"Report of the Secretary-General on Chad and the Central African Republic (S/2007/488)".

Resolution 1778 (2007)
of 25 September 2007

The Security Council,

Recalling its resolutions and the statements by its President concerning Chad, the Central African Republic and the subregion, including resolution 1769 (2007) of 31 July 2007,

Reaffirming its commitment to respect for the sovereignty, unity, territorial integrity and political independence of Chad and the Central African Republic, and to the cause of peace in the region,

Deeply concerned at the activities of armed groups and other attacks in eastern Chad, the north-eastern Central African Republic and western Sudan which threaten the security of the civilian population, the conduct of humanitarian operations in those areas and the stability of those countries, and which result in serious violations of human rights and international humanitarian law,

Reaffirming that any attempt at destabilization through violent means or seizing power by force is unacceptable,

Recalling that the Governments of Chad and the Central African Republic bear primary responsibility for ensuring the security of civilians in their territories,

Reiterating its concern that the ongoing violence in Darfur, eastern Chad and the north-eastern Central African Republic might further negatively affect the region,

Recalling the Tripoli Agreement of 8 February 2006[469] and the other bilateral and multilateral agreements between the Governments of the Sudan, Chad and the Central African Republic, stressing that a proper settlement of the Darfur issue and an improvement in relations between the Sudan, Chad and the Central African Republic will contribute to long-term peace and stability in the region, and welcoming the communiqué of the seventieth meeting of the Peace and Security Council of the African Union, concerning relations between Chad and the Sudan, which was held in Addis Ababa on 12 and 13 February 2007,[470]

Reiterating its full support for the efforts of the Secretary-General and of the African Union to revive the peace process begun by the Darfur Peace Agreement, consolidate the ceasefire and reinforce the peacekeeping presence in Darfur,

Reaffirming its resolution 1325 (2000) of 31 October 2000 on women and peace and security, resolution 1502 (2003) of 26 August 2003 on the protection of humanitarian and United Nations personnel and resolution 1674 (2006) of 28 April 2006 on the protection of civilians in armed conflict,

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[469] Tripoli Agreement to Settle the Dispute between the Republic of Chad and the Republic of the Sudan (see S/2006/103).

[470] S/2007/111, annex.

Reaffirming also its resolution 1612 (2005) of 26 July 2005 on children and armed conflict, taking note of the report of the Secretary-General on children and armed conflict in Chad[471] and the recommendations contained therein, and recalling the conclusions regarding Chad subsequently adopted by its Working Group on Children and Armed Conflict,[472]

Bearing in mind the Convention relating to the Status of Refugees of 28 July 1951[473] and the Protocol thereto, of 31 January 1967,[474]

Emphasizing the need to preserve the civilian nature of the refugee camps and internally displaced persons sites and to prevent any recruitment of individuals, including children, which might be carried out in or around the camps by armed groups,

Welcoming the signing on 13 August 2007 at N'Djamena of the Political Agreement for the reinforcement of the democratic process in Chad,

Having examined the report of the Secretary-General of 10 August 2007[468] (hereinafter referred to as "the report of the Secretary-General") and the recommendations for the deployment of an international presence in the regions of eastern Chad and the north-eastern Central African Republic indicated in paragraph 37 thereof (hereinafter referred to as "eastern Chad and the north-eastern Central African Republic"),

Welcoming the readiness of the European Union, expressed at the meeting of the Council of the European Union held in Brussels on 23 and 24 July 2007, to consider the establishment, for a duration of twelve months, of an operation to support the United Nations presence in eastern Chad and the north-eastern Central African Republic, and taking note of the letter dated 17 September 2007 from the Secretary-General/High Representative of the Council of the European Union,[475]

Welcoming also the letter dated 11 September 2007 from the authorities of Chad[476] and the letter dated 11 September 2007 from the authorities of the Central African Republic[477] approving the deployment of an international presence provided by the United Nations and the European Union,

Determining that the situation in the region of the border between the Sudan, Chad and the Central African Republic constitutes a threat to international peace and security,

1. *Approves* the establishment in Chad and the Central African Republic, in accordance with paragraphs 2 to 6 below and in consultation with the authorities of Chad and the Central African Republic, of a multidimensional presence intended to help to create the security conditions conducive to a voluntary, secure and sustainable return of refugees and displaced persons, inter alia, by contributing to the protection of refugees, displaced persons and civilians in danger, by facilitating the provision of humanitarian assistance in eastern Chad and the north-eastern Central African Republic and by creating favourable conditions for the reconstruction and economic and social development of those areas;

2. *Decides* that the multidimensional presence shall include, for a period of one year, a United Nations Mission in the Central African Republic and Chad (the acronym MINURCAT to be used in all languages), with the following mandate in eastern Chad and the north-eastern Central African Republic, in liaison with the United Nations country team:

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[471] S/2007/400.

[472] S/AC.51/2007/16.

[473] United Nations, *Treaty Series*, vol. 189, No. 2545.

[474] Ibid., vol. 606, No. 8791.

[475] S/2007/560, annex.

[476] S/2007/540, annex.

[477] S/2007/551, annex.

Security and protection of civilians

(*a*) To select, train, advise and facilitate support to elements of the Police tchadienne pour la protection humanitaire referred to in paragraph 5 below;

(*b*) To liaise with the national army, the gendarmerie and police forces, the nomad national guard, the judicial authorities and prison officials in Chad and the Central African Republic to contribute to the creation of a more secure environment;

(*c*) To liaise with the Government of Chad and the Office of the United Nations High Commissioner for Refugees in support of their efforts to relocate refugee camps which are in close proximity to the border, and to provide to the Office of the High Commissioner, on availability and on a cost-reimbursable basis, logistical assistance for that purpose;

(*d*) To liaise closely with the Government of the Sudan, the African Union, the African Union Mission in the Sudan, the African Union-United Nations Hybrid Operation in Darfur (UNAMID) which will succeed it, the United Nations Peacebuilding Support Office in the Central African Republic, the Multinational Force of the Central African Economic and Monetary Community and the Community of Sahel-Saharan States to exchange information on threats to humanitarian activities in the region;

Human rights and the rule of law

(*e*) To contribute to the monitoring and to the promotion and protection of human rights, with particular attention to sexual and gender-based violence, and to recommend action to the competent authorities, with a view to fighting impunity;

(*f*) To support, within its capabilities, efforts aimed at strengthening the capacity of the Governments of Chad and the Central African Republic and civil society through training in international human rights standards, and efforts to put an end to the recruitment and use of children by armed groups;

(*g*) To assist the Governments of Chad and, notwithstanding the mandate of the United Nations Peacebuilding Support Office in the Central African Republic, the Central African Republic in the promotion of the rule of law, including through support for an independent judiciary and a strengthened legal system, in close coordination with United Nations agencies;

3. *Decides also* that the Mission shall include a maximum of 300 police and 50 military liaison officers and an appropriate number of civilian personnel;

4. *Requests* the Secretary-General and the Governments of Chad and the Central African Republic to conclude status-of-forces agreements for the Mission as soon as possible, taking into account General Assembly resolution 59/47 of 2 December 2004 on the scope of legal protection under the Convention on the Safety of United Nations and Associated Personnel, Assembly resolution 60/42 of 8 December 2005 on the Optional Protocol to the Convention and Assembly resolution 61/133 of 14 December 2006 on the safety and security of humanitarian personnel and protection of United Nations personnel, and notes that the model status-of-forces agreement of 9 October 1990[478] shall apply provisionally pending the conclusion of such an agreement with one or the other of the countries;

5. *Endorses* the police concept referred to in the report of the Secretary-General,[468] including the provisions regarding the establishment of the Police tchadienne pour la protection humanitaire, which would be dedicated exclusively to maintaining law and order in refugee camps, sites with concentrations of internally displaced persons and key towns in neighbouring areas and to assisting in securing humanitarian activities in eastern Chad, and in this regard encourages the Government of Chad to establish the Police tchadienne pour la protection

[478] A/45/594, annex.

humanitaire, emphasizes the urgent need to provide logistical and financial support to the Police tchadienne pour la protection humanitaire, and requests the Secretary-General to mobilize Member States and institutional donors for this purpose;

6. Acting under Chapter VII of the Charter of the United Nations,

(*a*) *Authorizes* the European Union to deploy, for a period of one year from the date that its initial operating capability is declared by the European Union in consultation with the Secretary-General, an operation (hereinafter referred to as "the European Union operation") aimed at supporting the elements referred to in paragraphs 2 to 4 above, and decides that this operation shall be authorized to take all necessary measures, within its capabilities and its area of operations in eastern Chad and the north-eastern Central African Republic, to fulfil the following functions, in accordance with the arrangement to be concluded between the European Union and the United Nations, in liaison with the Governments of Chad and the Central African Republic:

(i) To contribute to protecting civilians in danger, particularly refugees and displaced persons;

(ii) To facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel by helping to improve security in the area of operations;

(iii) To contribute to protecting United Nations personnel, facilities, installations and equipment and to ensuring the security and freedom of movement of its staff and United Nations and associated personnel;

(*b*) *Authorizes* the European Union operation, at the close of the period referred to in subparagraph (*a*) above, to take all appropriate measures to achieve an orderly disengagement, by means including the fulfilment of the functions indicated in subparagraph (*a*) above, and within the limits of its residual capacity;

7. *Invites* the European Union, as may be required for the proper execution of the mandate of its operation, to take part in the liaison and support activities referred to in paragraphs 2 (*b*) to (*d*) above;

8. *Invites* the European Union operation to immediately take all appropriate measures to prepare its full operational capability, and requests the Secretary-General to coordinate closely with the European Union throughout this process, particularly with regard to those arrangements required to ensure appropriate protection for United Nations personnel, facilities, installations and equipment and ensure the freedom of movement of United Nations staff;

9. *Requests* the European Union, the Secretary-General and the Governments of Chad and the Central African Republic to cooperate closely throughout the period of deployment of the European Union operation, until its complete disengagement;

10. *Requests* the Secretary-General to report to the Security Council, after due consultations with the Governments of Chad and the Central African Republic, six months from the date indicated in paragraph 6 (*a*) above, on the arrangements for following up the intended European Union operation which has been authorized for a period of one year, including a possible United Nations operation, depending on the developments in the situation, and notes that, to that end, the United Nations and the European Union shall perform an evaluation of needs before the date in question;

11. *Invites* the Governments of Chad and the Central African Republic and the European Union to conclude status-of-forces agreements as soon as possible for the operation referred to in paragraph 6 above;

12. *Requests* the European Union to report to the Council, in the middle and at the end of the period referred to in paragraph 6 (*a*) above, on how its operation will fulfil its mandate;

13. *Calls upon* all the parties to cooperate fully in the deployment and operations of the Mission and the European Union operation, including by guaranteeing the security and freedom of movement of their personnel and associated personnel;

14. *Urges* all Member States, particularly the States bordering Chad and the Central African Republic, to facilitate the delivery to Chad and the Central African Republic freely, without obstacles or delay, of all personnel, equipment, provisions, supplies and other goods, including vehicles and spare parts, intended for the Mission and the European Union operation;

15. *Encourages* the respective Governments of the Sudan, Chad and the Central African Republic to ensure that their territories are not used to undermine the sovereignty of others and to cooperate actively with a view to implementing the Tripoli Agreement of 8 February 2006[477] and other agreements aimed at ensuring security along their common borders;

16. *Encourages* the authorities and political stakeholders in Chad and the Central African Republic to pursue their efforts at national dialogue, with respect for the constitutional frameworks;

17. *Reaffirms* the obligation of all parties to implement fully the rules and principles of international humanitarian law, particularly those regarding the protection of humanitarian personnel, and requests all the parties involved to provide humanitarian personnel with immediate, free and unimpeded access to all persons in need of assistance, in accordance with applicable international law;

18. *Takes note* of the measures already taken by the authorities of Chad to put an end to the recruitment and use of children by armed groups, encourages them to pursue their cooperation with United Nations bodies, particularly the United Nations Children's Fund, and calls upon all the parties involved to ensure that children are protected;

19. *Exhorts* the donor community to redouble its efforts to address the humanitarian, reconstruction and development needs of Chad and the Central African Republic;

20. *Requests* the Secretary-General to keep the Council informed of the liaison arrangements set out in paragraphs 2 (*b*) to (*d*) above, and to report regularly on the security and humanitarian situation, including movements of refugees and internally displaced persons, in eastern Chad, the north-eastern Central African Republic and the region, on progress towards the objective of helping to create the security conditions conducive to a voluntary, secure and sustainable return of refugees and displaced persons and on the implementation of the mandate of the Mission, and to submit to the Council a report on that matter every three months;

21. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 5748th meeting.

Decisions

On 29 January 2008, the President of the Security Council addressed the following letter to the Secretary-General:[479]

> "I have the honour to inform you that your letter dated 25 January 2008 concerning your intention to appoint Mr. Victor Da Silva Angelo, of Portugal, as your Special Representative and Head of the United Nations Mission in the Central African Republic and Chad[480] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 5830th meeting, on 4 February 2008, the Council decided to invite the representative of Chad to participate, without vote, in the discussion of the item entitled "The situation in Chad, the Central African Republic and the subregion".

[479] S/2008/53.

[480] S/2008/52.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[481]

"The Security Council expresses its grave concern regarding the situation in Chad.

"The Council supports the decision of the African Union of 2 February 2008 strongly condemning the attacks perpetrated by armed groups against the Government of Chad, demanding to put an immediate end to the violence and calling upon all the countries of the region to respect the unity and territorial integrity of the member States of the African Union.

"The Council welcomes in particular the decision of the African Union to mandate the Leader of the Libyan Arab Jamahiriya, Colonel Muammar Gaddafi, and President Denis Sassou Nguesso of the Republic of the Congo to engage the Chadian parties with a view to ending the fighting and to initiate efforts aimed at seeking a lasting solution to the crisis.

"The Council strongly condemns these attacks and all attempts at destabilization by force, and recalls its commitment to the sovereignty, unity, territorial integrity and political independence of Chad.

"The Council urges all States in the region to abide fully by the obligations they have entered into with regard to respect for and securing of their common border, in particular under the Tripoli Agreement of 8 February 2006,[467] the Riyadh Agreement of 3 May 2007 and the Sirte Agreement of 25 October 2007.

"The Council calls upon the States of the region to deepen their cooperation with a view to putting an end to the activities of armed groups and their attempt to seize power by force.

"The Council calls upon Member States to provide support, in conformity with the Charter of the United Nations, as requested by the Government of Chad.[482]

"The Council expresses its concern regarding the direct threat that the combats pose for the safety of the civilian population, including internally displaced persons and refugees.

"The Council reaffirms its full support for the United Nations Mission in the Central African Republic and Chad and the European Union operation (EUFOR Chad/Central African Republic), whose deployment in eastern Chad and the north-eastern Central African Republic was authorized by resolution 1778 (2007), to contribute to the protection of vulnerable civilian populations and to facilitate the provision of humanitarian assistance.

"The Council expresses its concern over the safety and security of humanitarian personnel, United Nations personnel and European Union personnel and material deployed in Chad. It underlines that all parties have a responsibility to ensure the protection of all these personnel and of the diplomatic personnel present in Chad."

In a letter dated 30 May 2008, the President of the Security Council informed the Secretary-General that the Council had decided to send a mission to Africa.[483]

In a letter dated 30 May 2008, the President of the Security Council informed the Chairperson of the Peacebuilding Commission that the Council supported the request to place the Central African Republic on the agenda of the Commission.[484]

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[481] S/PRST/2008/3.

[482] See S/2008/69.

[483] The letter, which was issued as a Security Council document under the symbol S/2008/347, has been reproduced on page 55 of the present volume. The mission took place from 31 May to 10 June 2008 (see S/2008/460).

[484] The letter, which was issued as a Security Council document under the symbol S/2008/383, has been reproduced on page 133 of the present volume.

At its 5913th meeting, on 16 June 2008, the Council decided to invite the representative of Chad to participate, without vote, in the discussion of the item entitled "The situation in Chad, the Central African Republic and the subregion".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[485]

"The Security Council condemns in the strongest terms the attacks conducted by Chadian armed groups since 11 June 2008.

"The Council condemns all attempts at destabilization by force, and reiterates its commitment to the sovereignty, unity, territorial integrity and political independence of Chad. It demands that armed groups cease violence immediately and urges all parties to respect the Sirte Agreement of 25 October 2007.

"The Council calls upon States in the region to implement their commitments under the Dakar Agreement of 13 March 2008 and prior agreements, and to cooperate with a view to putting an end to the activities of armed groups in the region and their attempts to seize power by force.

"The Council conveys its deep concern at the direct threat that the activities of armed groups pose for the safety of the civilian population and the conduct of humanitarian operations, and urges all parties to comply fully with their obligations under international humanitarian law.

"The Council expresses its full support for the United Nations Mission in the Central African Republic and Chad and the European Union operation (EUFOR Chad/Central African Republic) deployed in Chad and the Central African Republic to contribute to the protection of vulnerable civilian populations and to facilitate the provision of humanitarian assistance, and calls upon all parties to guarantee the security and freedom of movement of their personnel and associated personnel.

"The Council encourages the Chadian authorities to persevere in promoting political dialogue, with respect for the constitutional framework, as initiated by the agreement of 13 August 2007.

"The Council stands ready to consider appropriate measures against those groups and individuals that constitute a threat to the stability of the region or violate international humanitarian law."

PEACE AND SECURITY IN AFRICA

A. General issues

Decisions

At its 5749th meeting, on 25 September 2007, the Security Council considered the item entitled:

"Peace and security in Africa

"Letter dated 19 September 2007 from the Permanent Representative of France to the United Nations addressed to the Secretary-General (S/2007/552)".

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[485] S/PRST/2008/22.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Alpha Oumar Konaré, Chairperson of the African Union Commission.

At its 5868th meeting, on 16 April 2008, the Council decided to invite the representatives of Algeria (former Prime Minister and Personal Representative of the President), Angola (Minister for Foreign Affairs), Botswana (Vice President), Burundi (on behalf of the Minister for Foreign Affairs), Central African Republic (Minister for Foreign Affairs), Côte d'Ivoire (President), the Democratic Republic of the Congo (President), Egypt (Deputy Minister for Foreign Affairs and Special Envoy of the President), Eritrea, Ethiopia (Prime Minister), Gabon (Minister for Foreign Affairs, Cooperation, Francophonie and Regional Integration), Ghana, Japan, Liberia (Minister for Foreign Affairs), Nigeria (Minister for Foreign Affairs and Envoy of the President), Rwanda (Minister for Foreign Affairs), Senegal (Minister for Foreign Affairs), Sierra Leone (Minister for Foreign Affairs), Singapore, Slovenia, Somalia (President), the Sudan (Special Envoy and Adviser to the President), Swaziland (Minister of Finance), Uganda, United Republic of Tanzania (President and Chairperson of the African Union) and Zambia (Minister for Home Affairs and Special Envoy) to participate, without vote, in the discussion of the item entitled:

"Peace and security in Africa

"Letter dated 8 April 2008 from the Permanent Representative of South Africa to the United Nations addressed to the Secretary-General (S/2008/229)

"Report of the Secretary-General on the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of international peace and security (S/2008/186)

"Report of the Secretary-General on the implementation of Security Council resolution 1625 (2005) on conflict prevention, particularly in Africa (S/2008/18)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Alpha Oumar Konaré, Chairperson of the African Union Commission, and Mr. Yahya Mahmassani, Permanent Observer for the League of Arab States to the United Nations.

Resolution 1809 (2008) of 16 April 2008

The Security Council,

Reaffirming all its previous resolutions and the statements by its President on cooperation between the United Nations and regional organizations, in particular resolutions 1625 (2005) of 14 September 2005 and 1631 (2005) of 17 October 2005, and the statements of 20 July 2004,[486] 19 November 2004,[487] 28 March 2007,[488] 28 August 2007[489] and 6 November 2007,[490]

Reaffirming also its resolutions 1325 (2000) of 31 October 2000, 1612 (2005) of 26 July 2005 and 1674 (2006) of 28 April 2006,

[486] S/PRST/2004/27.
[487] S/PRST/2004/44.
[488] S/PRST/2007/7.
[489] S/PRST/2007/31.
[490] S/PRST/2007/42.

Recalling its primary responsibility for the maintenance of international peace and security, and recognizing that cooperation with regional and subregional organizations in matters relating to the maintenance of peace and security and consistent with Chapter VIII of the Charter of the United Nations can improve collective security,

Welcoming the role of the African Union in efforts to settle conflicts on the African continent, and expressing its support for the peace initiatives conducted by the African Union and through subregional organizations,

Emphasizing the need to strengthen the role of the United Nations in the prevention of armed conflicts, and stressing the utility of developing effective partnerships between the United Nations and regional organizations, in particular the African Union, in order to enable early responses to disputes and emerging crises in Africa, and in this regard noting with interest the proposal made by the Secretary-General of conducting joint reviews by the United Nations and regional organizations of the state of peace and security and of mediation endeavours, particularly in Africa, where joint mediation is being undertaken,

Recognizing that regional organizations are well positioned to understand the root causes of armed conflicts owing to their knowledge of the region, which can be a benefit for their efforts to influence the prevention or resolution of those conflicts,

Stressing the importance of further strengthening cooperation with the African Union in order to assist in building its capacity to deal with common collective security challenges in Africa, including through the commitment by the African Union of rapid and appropriate responses to emerging crisis situations and the development of effective strategies for conflict prevention, peacekeeping and peacebuilding,

Recalling the resolve of Heads of State and Government at the 2005 World Summit to expand, as appropriate, the involvement of regional organizations in the work of the Security Council and to ensure that regional organizations that have a capacity for the prevention of armed conflict or peacekeeping consider the option of placing such capacity in the framework of the United Nations Standby Arrangements System,[491]

Recognizing the importance of strengthening the capacity of regional and subregional organizations in conflict prevention and crisis management and in post-conflict stabilization,

Taking note of lessons learned from practical cooperation between the United Nations and the African Union, in particular the transition from the African Mission in Burundi to the United Nations Operation in Burundi and from the African Union Mission in the Sudan to the African Union-United Nations Hybrid Operation in Darfur (UNAMID),

Acknowledging the contribution of the United Nations Liaison Office at Addis Ababa in strengthening coordination and cooperation between the United Nations and the African Union, as well as the need to consolidate it so as to enhance its performance,

Recognizing that regional organizations have the responsibility in securing human, financial, logistical and other resources for their organizations, including by obtaining contributions from their members and soliciting contributions from donors to fund their operations, and recognizing the challenges in accessing United Nations assessed contributions for funding regional organizations,

Recognizing also that one major constraint facing some regional organizations, in particular the African Union, in effectively carrying out the mandates of maintaining regional peace and security is securing predictable, sustainable and flexible resources,

Taking note of both the report of the Secretary-General on the relationship between the United Nations and regional organizations, in particular the African Union, in the maintenance of

[491] See General Assembly resolution 60/1, para. 170.

international peace and security[492] and the report of the Secretary-General on conflict prevention, particularly in Africa,[493]

1. *Expresses its determination* to take effective steps to further enhance the relationship between the United Nations and regional organizations, in particular the African Union, in accordance with Chapter VIII of the Charter of the United Nations;

2. *Encourages* the continuing involvement of regional and subregional organizations in the peaceful settlement of disputes, including through conflict prevention, confidence-building and mediation efforts;

3. *Welcomes* regional dialogue and the promotion of shared experiences as well as common regional approaches to the settlement of disputes and other issues relating to peace and security;

4. *Welcomes and further encourages* the ongoing efforts of the African Union and the subregional organizations to strengthen their peacekeeping capacity and to undertake peacekeeping operations on the continent, in accordance with Chapter VIII of the Charter, and to coordinate with the United Nations, through the Peace and Security Council of the African Union, as well as ongoing efforts to develop a continental early warning system, response capacity such as the African Standby Force and enhanced mediation capacity, including through the Panel of the Wise of the African Union;

5. *Welcomes* recent developments regarding cooperation between the United Nations, the African Union and the European Union, including the contribution of the European Union to the enhancement of African Union capacities;

6. *Encourages* regional and subregional organizations to strengthen and increase cooperation among them, in particular cooperation between the African Union, the Organization of American States, the League of Arab States, the Association of Southeast Asian Nations and the European Union, including efforts to enhance their respective capacities, in the maintenance of international peace and security;

7. *Expresses its determination* to strengthen and make more effective its cooperation with relevant organs of regional organizations, in particular the Peace and Security Council;

8. *Also expresses its determination* to strengthen and enhance cooperation between the United Nations and regional organizations, in particular the African Union, in conflict prevention, resolution and management, including good offices, mediation support, effective use of sanctions as mandated by the Security Council, electoral assistance and preventive field presence; and in the case of Africa, focusing on support to the Panel of the Wise, among others;

9. *Stresses* that common and coordinated efforts undertaken by the United Nations and regional organizations, in particular the African Union, in matters of peace and security, should be based on their complementary capacities, making full use of their experience in accordance with the Charter and the relevant statutes of the regional organizations;

10. *Underlines* the importance of the implementation of the Ten-Year Capacity-Building Programme for the African Union mainly focusing on peace and security, in particular the operationalization of the African Standby Force;

11. *Encourages* the increased engagement of the African Union Peacekeeping Support Team within the Department of Peacekeeping Operations of the United Nations Secretariat as a coordinating point aimed at providing the necessary expertise and transfer of technical knowledge to enhance the capacity of the Peace Support Operations Division of the African Union, including in mission planning and management, as well as the deployment of staff of the Department of

[492] S/2008/186.

[493] S/2008/18.

Political Affairs of the Secretariat to work with the African Union on the operationalization of the Panel of the Wise and other mediation programmes;

12. *Calls upon* the Secretariat, in coordination with the African Union Commission, to develop a list of needed capacities and recommendations on ways in which the African Union can further develop military, technical, logistical and administrative capabilities;

13. *Encourages* closer cooperation between the Secretariat and the African Union Commission, including by supporting regular follow-up missions by Secretariat staff to African Union headquarters to provide further assistance and share experiences;

14. *Expresses its determination* to further consider how to strengthen the capacity of the United Nations in the prevention of armed conflict, particularly in Africa;

15. *Recognizes* the important role of the good offices of the Secretary-General in Africa, and encourages the Secretary-General to continue to use mediation as often as possible to help to resolve conflicts peacefully, working in coordination and closely with the African Union and other subregional organizations in that regard, as appropriate;

16. *Recognizing* the need to enhance the predictability, sustainability and flexibility of financing regional organizations when they undertake peacekeeping under a United Nations mandate, welcomes the proposal by the Secretary-General to set up within three months an African Union-United Nations panel consisting of distinguished persons to consider in depth the modalities of how to support such peacekeeping operations, in particular start-up funding, equipment and logistics, and to consider in depth lessons from past and current African Union peacekeeping efforts;

17. *Requests* the Secretary-General to include in his regular reporting to the Council assessments of progress on the cooperation between the United Nations and relevant regional organizations;

18. *Decides* to remain seized of the matter.

Adopted unanimously at the 5868th meeting.

B. Kenya

Decisions

At its 5831st meeting, on 6 February 2008, the Security Council decided to invite the representative of Kenya to participate, without vote, in the discussion of the item entitled "Peace and security in Africa".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[494]

> "The Security Council welcomes the announcement of progress in the negotiations, overseen by Mr. Kofi Annan, between Mr. Mwai Kibaki and Mr. Raila Odinga on 1 February 2008, including the adoption of an agenda and a timetable for action to end the crisis in Kenya following the disputed elections of 27 December 2007. The Council welcomes the African Union communiqué of 21 January 2008, commends the efforts of the African Union, the President of Ghana, Mr. John Kufuor, and the Secretary-General of the United Nations, Mr. Ban Ki-moon, and emphasizes its full support for the Panel of Eminent African Personalities, led by Mr. Annan, in assisting the parties in finding a political solution. The Council deplores the widespread violence following the elections, which has resulted in extensive loss of life and serious humanitarian consequences.

[494] S/PRST/2008/4.

"The Council expresses its deep concern that, despite the commitments made on 1 February 2008, civilians continue to be killed, subjected to sexual and gender-based violence and displaced from their homes. The Council emphasizes that the only solution to the crisis lies through dialogue, negotiation and compromise and strongly urges Kenya's political leaders to foster reconciliation and to elaborate and implement the actions agreed to on 1 February without delay, including by meeting their responsibility to engage fully in finding a sustainable political solution and taking action to end immediately violence, including ethnically motivated attacks, dismantle armed gangs, improve the humanitarian situation and restore human rights. Recalling the need to avoid impunity, the Council calls for those responsible for violence to be brought to justice. It expresses its concern at the political, security and economic impact of the crisis in Kenya on the wider region.

"The Council expresses its strong concern at the continuing dire humanitarian situation in Kenya and calls for the protection of refugees and internally displaced persons. The Council further expresses its concern for the safety of humanitarian workers and United Nations personnel and calls upon all parties to facilitate their work and ensure their safety. The Council welcomes the decisions, following consultations with the Government of Kenya, of the United Nations High Commissioner for Human Rights and the Special Adviser of the Secretary-General for the Prevention of Genocide to dispatch missions to Kenya. It calls upon Kenya's political leaders to facilitate the work of these missions and looks forward to being informed by the Secretary-General of their findings.

"The Council further requests the Secretary-General to report on how the United Nations can further support the mediation efforts in Kenya and, as necessary, on the impact of the crisis on the wider subregion and United Nations operations in the subregion."

C. Djibouti and Eritrea

Decisions

At its 5908th meeting, on 12 June 2008, the Security Council decided to invite the representative of Djibouti to participate, without vote, in the discussion of the item entitled "Peace and security in Africa".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[495]

"The Security Council expresses its strong concern about the serious incidents that occurred on 10 June 2008 along the frontier between Djibouti and Eritrea, which led to several deaths and dozens of wounded.

"The Council condemns Eritrea's military action against Djibouti in Ras Doumeira and Doumeira Island.

"The Council calls upon the parties to commit to a ceasefire and urges both parties, in particular Eritrea, to show maximum restraint and withdraw forces to the status quo ante.

"The Council urges both parties, in particular Eritrea, to cooperate and engage in diplomatic efforts to resolve the matter peacefully and in a manner consistent with international law.

"The Council welcomes the efforts of the African Union, the League of Arab States and those States that have offered their assistance and calls upon the parties, in particular Eritrea, to engage fully in efforts to resolve the crisis.

[495] S/PRST/2008/20.

"The Council encourages the Secretary-General urgently to use his good offices and reach out to both parties, as appropriate and in coordination with regional efforts, to facilitate bilateral discussions to determine arrangements for decreasing the military presence along the border and to develop confidence-building measures to resolve the border situation."

At its 5924th meeting, on 24 June 2008, the Council decided to invite the representatives of Djibouti (Prime Minister) and Eritrea to participate, without vote, in the discussion of the item entitled:

"Peace and security in Africa

"Letter dated 11 June 2008 from the Permanent Representative of Djibouti to the United Nations addressed to the President of the Security Council (S/2008/387)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. João Honwana, Director of the Africa I Division of the Department of Political Affairs of the Secretariat.

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council further decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mrs. Alice Mungwa, Adviser in the Office of the Permanent Observer of the African Union to the United Nations, and Mr. Yahya Mahmassani, Permanent Observer for the League of Arab States to the United Nations.

D. Zimbabwe

Decisions

At its 5919th meeting, on 23 June 2008, the Security Council decided to invite the representative of Zimbabwe to participate, without vote, in the discussion of the item entitled:

"Peace and security in Africa

"Letter dated 18 June 2008 from the Permanent Representative of Belgium to the United Nations addressed to the President of the Security Council (S/2008/407)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. B. Lynn Pascoe, Under-Secretary-General for Political Affairs.

At its 5920th meeting, held in private on 23 June 2008, the Council decided to authorize its President to issue through the Secretary-General the following communiqué, in accordance with rule 55 of the provisional rules of procedure of the Council:

"At its 5920th meeting, held in private on 23 June 2008, the Security Council considered the item entitled 'Peace and security in Africa'.

"The President, with the consent of the Council, invited the representatives of Angola, Australia, Austria, Botswana, Canada, Cuba, the Democratic Republic of the Congo, Denmark, Egypt, India, Ireland, Israel, Japan, Lesotho, Mauritius, Morocco, Mozambique, Namibia, the Netherlands, New Zealand, Norway, Portugal, the Republic of Korea, Swaziland, the United Republic of Tanzania, Zambia and Zimbabwe to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter of the United Nations and rule 37 of the provisional rules of procedure of the Council.

"Members of the Council and the representative of Zimbabwe had an exchange of views."

At its 5921st meeting, on 23 June 2008, the Council decided to invite the representative of Zimbabwe to participate, without vote, in the discussion of the item entitled:

"Peace and security in Africa

"Letter dated 18 June 2008 from the Permanent Representative of Belgium to the United Nations addressed to the President of the Security Council (S/2008/407)".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[496]

"The Security Council condemns the campaign of violence against the political opposition ahead of the second round of the presidential elections scheduled for 27 June 2008, which has resulted in the killing of scores of opposition activists and other Zimbabweans and the beating and displacement of thousands of people, including many women and children.

"The Council further condemns the actions of the Government of Zimbabwe that have denied its political opponents the right to campaign freely, and calls upon the Government to stop the violence, to cease political intimidation, to end the restrictions on the right of assembly and to release the political leaders who have been detained. The Council urges the international monitors and observers to remain in Zimbabwe while the crisis continues.

"The Council regrets that the campaign of violence and the restrictions on the political opposition have made it impossible for a free and fair election to take place on 27 June. The Council further considers that, to be legitimate, any government of Zimbabwe must take account of the interests of all its citizens. The Council notes that the results of the elections of 29 March 2008 must be respected.

"The Council expresses its concern over the impact of the situation in Zimbabwe on the wider region. The Council welcomes the recent international efforts, including those of the leaders of the Southern African Development Community and particularly President Mbeki. The Council calls upon the Zimbabwean authorities to cooperate fully with all efforts, including through the United Nations, aimed at finding a peaceful way forward, through dialogue between the parties, that allows a legitimate government to be formed that reflects the will of the Zimbabwean people.

"The Council further expresses its concern at the grave humanitarian situation in Zimbabwe and condemns the suspension by the Government of Zimbabwe of the operations of humanitarian organizations, which has directly affected one and a half million people, including half a million children. The Council calls upon the Government to immediately allow humanitarian organizations to resume their services.

"The Council will continue to monitor closely the situation and requests the Secretary-General to report on ongoing regional and international efforts to resolve the crisis."

At its 5929th meeting, on 8 July 2008, the Council considered the item entitled "Peace and security in Africa".

At its 5933rd meeting, on 11 July 2008, the Council decided to invite the representatives of Angola, Australia, Canada, Liberia, the Netherlands, New Zealand, Sierra Leone, the United Republic of Tanzania and Zimbabwe to participate, without vote, in the discussion of the item entitled "Peace and security in Africa".

At the same meeting, the Council also decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mrs. Lila Hanitra Ratsifandrihamanana, Permanent Observer of

[496] S/PRST/2008/23.

the African Union to the United Nations, in response to the request dated 10 July 2008 from the Permanent Representative of South Africa to the United Nations addressed to the President of the Council.

At the same meeting, the Council voted on a draft resolution contained in document S/2008/447. The result of the voting was as follows: 9 votes in favour (Belgium, Burkina Faso, Costa Rica, Croatia, France, Italy, Panama, United Kingdom of Great Britain and Northern Ireland and United States of America), 5 against (China, Libyan Arab Jamahiriya, Russian Federation, South Africa and Viet Nam) and 1 abstention (Indonesia). The draft resolution was not adopted, owing to the negative vote of a permanent member of the Council.

THE ROLE OF REGIONAL AND SUBREGIONAL ORGANIZATIONS IN THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY

Decisions

At its 5776th meeting, on 6 November 2007, the Security Council decided to invite the representatives of Angola, Argentina, Armenia, Azerbaijan, Benin, Guatemala, Guinea, Honduras, Japan, Kazakhstan, Kyrgyzstan, Malaysia, Norway, the Philippines (Secretary of Foreign Affairs), Portugal, Singapore, Solomon Islands, Spain, Thailand, Uruguay and Viet Nam to participate, without vote, in the discussion of the item entitled:

> "The role of regional and subregional organizations in the maintenance of international peace and security
>
> > "Letter dated 29 October 2007 from the Permanent Representative of Indonesia to the United Nations addressed to the Secretary-General (S/2007/640)".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council also decided to extend invitations, under rule 39 of its provisional rules of procedure, to Mr. Yahya Mahmassani, Permanent Observer for the League of Arab States to the United Nations, Mr. Abdul Wahab, Permanent Observer for the Organization of the Islamic Conference to the United Nations, and Mrs. Lila Hanitra Ratsifandrihamanana, Permanent Observer of the African Union to the United Nations.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[497]

> "The Security Council reaffirms its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations.
>
> "The Council recognizes the important role of regional and subregional organizations in the prevention, management and resolution of conflicts in accordance with Chapter VIII of the Charter as well as its relevant resolutions, in particular resolutions 1625 (2005) and 1631 (2005), and previous relevant statements by its President on cooperation with regional and subregional organizations.
>
> "The Council emphasizes that the growing contribution made by regional and subregional organizations in cooperation with the United Nations can usefully support the work of the Organization in maintaining international peace and security, and stresses in this regard that such contribution should be made in accordance with Chapter VIII of the Charter.

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[497] S/PRST/2007/42.

"The Council further recognizes that regional and subregional organizations are well positioned to understand the root causes of many conflicts and other security challenges close to home and to influence their prevention or resolution, owing to their knowledge of the region.

"The Council recalls its determination to take appropriate steps to further the development of cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security. It welcomes recent developments with regard to the cooperation between the United Nations, the African Union and the European Union.

"The Council, while maintaining the primary responsibility for maintaining international peace and security, encourages regional and subregional organizations to strengthen and increase cooperation among them, including to enhance their respective capacity, in the maintenance of international peace and security. The Council underlines the importance of the United Nations political support and technical expertise in this regard.

"The Council encourages regional cooperation, including through the involvement of regional and subregional organizations in the peaceful settlement of disputes, and intends to consult closely with them, whenever appropriate, on their role in future peacekeeping operations as well as political and integrated missions authorized by the Council.

"The Council stresses the need to develop effective partnership between the Council and regional and subregional organizations in order to enable early response to disputes and emerging crises.

"The Council underlines the importance of exploring the potential and existing capacities of regional and subregional organizations in the field of peace and security, covering, inter alia, the spectrum of conflict prevention, confidence-building, conflict resolution, peacemaking, peacekeeping and post-conflict peacebuilding, and welcomes regional dialogue and the promotion of shared norms as well as common regional approaches to the settlement of disputes and other issues relating to peace and security.

"The Council stresses the potential role of regional and subregional organizations in addressing the illicit trade in small arms and light weapons and the need to take into account in the mandates of the peacekeeping operations, where appropriate, the regional instruments enabling States to identify and trace illegal small arms and light weapons.

"The Council welcomes the efforts undertaken by its subsidiary bodies with responsibilities in counter-terrorism to foster cooperation with regional and subregional organizations, notes with appreciation the efforts made by an increasing number of regional and subregional organizations in countering terrorism and urges all relevant regional and subregional organizations to enhance the effectiveness of their counter-terrorism efforts within their respective mandates and in accordance with international law, including with a view to developing their capacity to help Member States in their efforts to tackle the threats to international peace and security posed by acts of terrorism.

"The Council recognizes the importance of promoting the identification and further development of modalities which enhance the contribution of regional and subregional organizations to the work of the Council in maintaining international peace and security in accordance with Chapter VIII of the Charter. For that purpose, the Council deems it useful to consider further strengthening its interaction and cooperation with regional and subregional organizations in accordance with Chapter VIII of the Charter. The Council recognizes the Peacebuilding Commission, in its area of competence, as a forum for coordination in the area of post-conflict between the United Nations system and regional and subregional organizations, in accordance with its resolution 1645 (2005) and General Assembly resolution 60/180.

"The Council requests the Secretary-General to include in his report pursuant to the statement by its President of 28 March 2007[498] a recommendation on practical ways and means to increase and strengthen cooperation between the United Nations and regional and subregional organizations in the maintenance of international peace and security.

"The Council invites all Member States to contribute more actively to the strengthening of the capacity of regional and subregional organizations in all parts of the world in issues relating to the maintenance of international peace and security."

BRIEFING BY THE UNDER-SECRETARY-GENERAL FOR HUMANITARIAN AFFAIRS AND EMERGENCY RELIEF COORDINATOR

Decisions

At its 5792nd meeting, on 6 December 2007, the Security Council considered the item entitled "Briefing by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

At its 5845th meeting, on 25 February 2008, the Council considered the item entitled "Briefing by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator".

At the same meeting, in accordance with the understanding reached in its prior consultations, the Council decided to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

SPECIAL ADVISER ON THE RESPONSIBILITY TO PROTECT

Decision

In a letter dated 7 December 2007,[499] the President of the Security Council informed the Secretary-General that his letter dated 31 August 2007[500] had been brought to the attention of the members of the Council.

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[498] S/PRST/2007/7.

[499] The letter, which was issued as a Security Council document under the symbol S/2007/722, has been reproduced on page 212 of the present volume.

[500] S/2007/721.

Part II. Other matters considered by the Security Council

CONSIDERATION OF THE DRAFT REPORT OF THE SECURITY COUNCIL TO THE GENERAL ASSEMBLY

Decision

At its 5769th meeting, on 25 October 2007, the Security Council considered the item entitled "Consideration of the draft report of the Security Council to the General Assembly".

The decision of the Council was reflected in the following note by the President:[501]

"At its 5769th meeting, on 25 October 2007, the Security Council considered its draft report to the General Assembly covering the period from 1 August 2006 to 31 July 2007. The Council adopted the draft report without a vote."

SECURITY COUNCIL DOCUMENTATION AND WORKING METHODS AND PROCEDURE

Decisions

On 27 August 2007, the President of the Security Council issued the following note:[502]

"Following consultations among the members of the Security Council, the members agreed to elect the Chairman of the following working group for the period ending 31 December 2007:

Security Council Working Group on Children and Armed Conflict

Jean-Maurice Ripert (France)"

On 29 October 2007, the President of the Security Council issued the following note:[503]

"Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998,[504] and after consultations among the members of the Council, the members of the Council agreed to elect the Chairmen of the following subsidiary bodies for the period ending 31 December 2007:

Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda

Chairman: R. M. Marty M. Natalegawa (Indonesia)

Italy will continue to serve as Vice-Chairman for the said period.

Working Group on Peacekeeping Operations

Chairman: R. M. Marty M. Natalegawa (Indonesia)"

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[501] S/2007/627.

[502] S/2007/518.

[503] S/2007/635.

[504] S/1998/1016.

On 20 November 2007, the President of the Security Council issued the following note:[505]

"Following consultations among the members of the Security Council, the members agreed to elect the Chairman of the following subsidiary body for the period ending 31 December 2007:

Ad Hoc Working Group on Conflict Prevention and Resolution in Africa

Luc Joseph Okio (Congo)"

On 19 December 2007, the President of the Security Council issued the following note:[506]

"1. The members of the Security Council reaffirm their commitment to enhancing the efficiency and transparency of the work of the Council, including interaction and dialogue with other relevant United Nations bodies and other States Members of the United Nations, and to implementing all previously agreed measures, in particular those contained in the annex to the note by the President of the Security Council dated 19 July 2006.[507] The members of the Council are committed to implementing the additional measures contained in the present note. These measures will serve as a guide for the work of the Council.

"I. Informal consultations

"2. The members of the Council encourage the Secretariat to exercise restraint as far as participation of its members in informal consultations is concerned. As a general rule, an appropriate number of representatives of the relevant branches of the Department of Peacekeeping Operations and the Department of Political Affairs take part in informal consultations, often when accompanying senior members of the Secretariat providing briefings to the Council. The same applies to representatives of any another department in the event that a briefing is provided by its senior representative. Designated representatives of other departments of the Secretariat and United Nations agencies, usually no more than one person per department or agency, should participate in informal consultations only when appropriate, that is, when the issue at hand has direct implications for the work of that department or agency or when inputs from that department or agency could be useful for the deliberations of the Council. A designated representative of the Office of the Spokesperson for the Secretary-General may participate in informal consultations at any time, unless the Council decides otherwise. The members of the Council encourage the Director of the Security Council Affairs Division of the Department of Political Affairs or his/her representative to seek guidance from the President of the Security Council on a case-by-case basis, as and if necessary.

"3. The members of the Council will ensure that their participation in informal consultations is adequate.

"4. As a general rule, the purpose of initial remarks or ad hoc briefings delivered by members of the Secretariat is to supplement and update written reports of the Secretary-General or to provide members of the Council with more specific on-the-ground information on the most recent developments, which may not be covered in the written reports. The members of the Council encourage members of the Secretariat to focus on key issues and to provide the latest information, as necessary, without repeating the content of written reports already available to members of the Council.

[505] S/2007/674.

[506] S/2007/749.

[507] S/2006/507.

"**II. Matters of which the Council is seized**

"5. Consistent with paragraph 49 of the annex to the note by the President of the Security Council dated 19 July 2006,[507] the first summary statement issued during the month of April of each calendar year should confirm those items identified as subject to deletion that have been retained for one year at the request of one or more Member States and should also confirm those items which, absent such a request, have been deleted from the list.

"6. Beginning in January 2008, the references given for each item listed in the summary statement should be the date of first consideration of the item in a formal meeting of the Council and the date of the most recent consideration of the item in a formal meeting of the Council.

"7. The first summary statement of each month should contain a full, updated list of items of which the Council is seized. For intervening weeks, a weekly addendum to the summary statement should be issued listing only those items on which further action has been taken by the Council during the previous week or indicating that there has been no change during that period.

"**III. Annual report to the General Assembly**

"8. A draft introduction to the report should continue to be prepared under the leadership and responsibility of the President of the Security Council for the month of July of each calendar year. While drafting the introduction to the report, the President for the month of July may, when necessary, seek advice from other members of the Council.

"9. The introduction to the report should contain concise information about the nature of all decisions taken by the Council during the period covered, in particular all resolutions and presidential statements.

"10. The members of the Council acknowledge that the work of the subsidiary bodies of the Council is an inseparable part of the work of the Council. The report should therefore contain concise information about the work of all subsidiary bodies of the Council.

"11. The Secretariat should include in part II of the annual report a notice of all draft resolutions considered by the Council at its meetings but not adopted.

"12. The report should be issued so as to allow Member States adequate time to study it before the scheduled debate in the General Assembly.

"13. If appropriate, the President of the Security Council will continue the practice of not scheduling meetings or informal consultations of the Council on the first day of the debate on the report in the General Assembly."

On 28 December 2007, the President of the Security Council addressed the following letter to the Secretary-General:[508]

"I am writing with refererce to the letter dated 16 May 2006 from the President of the Security Council to the Secretary-General,[509] in which the Council informed your predecessor about the establishment of an ad hoc committee on mandate review to conduct the review of Council mandates called for by Heads of State and Government in the 2005 World Summit Outcome[510] and to continue consideration of the recommendations contained in the report of the Secretary-General of 30 March 2006 entitled 'Mandating and delivering: analysis and recommendations to facilitate the review of mandates'.[511]

[508] S/2007/770.

[509] S/2006/354.

[510] See General Assembly resolution 60/1.

[511] A/60/733 and Corr.1.

"The Ad Hoc Committee on Mandate Review has been guided in its work by the overall purpose of streamlining and strengthening the efforts of the Council in promoting international peace and security and thereby contributing to the effectiveness of the United Nations as a whole. The Committee has facilitated a practical, real-world review of the existing mandates of the Council. It has been proceeding in close cooperation and coordination with the Secretariat, which has provided invaluable assistance to the Committee.

"The mandate review process in the Council has been complementary to the existing periodic review by the Council of activities and individual mandates. It has been comprehensive, placing mandates in their broader context, including, if appropriate, on a regional or functional basis, so as to better ascertain how individual mandates contribute to the overall objectives of the Council. The main role of the Committee has been to facilitate the decision-making processes of the Council on individual mandates. From May to December 2006, the Committee was co-chaired by the Permanent Representatives of Slovakia and the United States of America to the United Nations. In 2007 the positions of co-Chairs have been held by the Permanent Representatives of Slovakia and South Africa to the United Nations.

"Following consultations among Council members, the following five criteria were agreed for mandate review:

"(*a*) Specific recommendations contained in the report of the Secretary-General of 30 March 2006 entitled 'Mandating and delivering: analysis and recommendations to facilitate the review of mandates';

"(*b*) Mandates that have not been examined by the Council in the last five years;

"(*c*) Specific instances of duplicative or unnecessary reporting requirements (including those with shorter reporting cycles than necessary);

"(*d*) Positions that have remained vacant or where the reason for appointment has changed;

"(*e*) Where there are two or more senior United Nations representatives in a particular area of with potentially overlapping or duplicative mandates.

"In its work, the Committee has utilized a range of useful tools and mechanisms, such as informal meetings of territorial expert groups, Committee meetings held at the ambassadorial level, update briefings provided to the Committee by members of the Secretariat on mandates older than five years and not periodically renewed, and an open meeting of the Committee on a mandate of a special representative of the Secretary-General. As appropriate, the Committee has been taking into account views and positions of parties concerned, as well as of relevant regional and subregional organizations. These modalities have facilitated the meaningful, effective, open and transparent work of the Committee. Therefore, the members of the Council intend to continue using such modalities in the future.

"As a result of the work of the Committee over almost 20 months and following careful consideration, the members of the Council have agreed on the following measures:

"1. Following agreement among Council members, the members of the Council would like to receive, in the appropriate mandate review mechanism, update briefings from the Secretariat, if necessary, possibly in June of every calendar year, on mandates older than five years and not subject to a periodic renewal.

"2. Following careful review of the Mandate Registry created by the Secretariat in 2005, the members of the Council note that the Council has concluded its consideration of the mandates under the following agenda items:

- 'The situation in Angola' (mandate of the United Nations Office in Angola completed on 15 August 2002; relevant Security Council subsidiary body dissolved on 9 December 2002)

- 'The situation in Croatia' (mandate of the United Nations Mission of Observers in Prevlaka completed on 15 December 2002)

- 'Letters dated 20 and 23 December 1991 from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America (S/23306, S/23307, S/23308, S/23309 and S/23317): Letter dated 15 August 2003 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the President of the Security Council (S/2003/818); Letter dated 15 August 2003 from the Permanent Representatives of the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the President of the Security Council (S/2003/819); Voting on draft resolution S/2003/824' (mandate closed by Security Council resolution 1506 (2003))

"3. The members of the Council take note of the position of the Secretary-General, in the light of the most recent developments and circumstances, at present not to renew the following mandates:

- Special Envoy of the Secretary-General for Ethiopia and Eritrea (appointment was effective until 31 August 2005)

- Special Adviser of the Secretary-General on Africa based in Geneva (appointment was effective until 31 December 2006)

- Special Representative of the Secretary-General for the Great Lakes Region (appointment was effective until 31 March 2007)

"4. Consistent with paragraph 12 of the annex to the note by the President of the Security Council dated 19 July 2006[97] and after receiving briefings and recommendations from the Secretariat, the members of the Council intend to continue addressing the issue of adequate reporting intervals for regular reports of the Secretary-General to the Council covering particular mandates, and intend to maintain regular interaction with the Secretariat in this important area. The members of the Council appreciate the input received so far from the Secretariat and encourage the Secretariat to continue updating the Council, as appropriate. Thus far, the Committee has considered, in particular, reporting intervals for the following situations on its agenda: Burundi (United Nations Integrated Office in Burundi), Guinea-Bissau (United Nations Peacebuilding Support Office in Guinea-Bissau), Democratic Republic of the Congo (United Nations Organization Mission in the Democratic Republic of the Congo), Liberia (United Nations Mission in Liberia), Sierra Leone (United Nations Integrated Office in Sierra Leone), and Somalia. The recommendations of the Committee on these specific reporting intervals have been reflected in the Council's consideration of the relevant issues on its agenda.

"5. The members of the Council appreciate receiving weekly informal briefing notes on field operations prepared by the Secretariat and they reconfirm the high relevance of such notes for the successful discharge of the mandated responsibilities of the Council. As a general rule, these briefing notes should contain the most recent information available and should be provided to Council members in a timely fashion, without needing to cover all United Nations field operations in instances when no important developments have occurred in some of them, or material from some missions is delayed. On a case-by-case basis and as appropriate, the members of the Council would welcome receiving additional informal briefing notes or fact sheets containing the most current information from those field operations where important developments have occurred and facts that may be important for the Council's consideration of the relevant situations on its agenda. If appropriate, these additional briefing notes or fact sheets may complement ad hoc briefings requested by the Council consistent with paragraphs 6 and 7 of the annex to the note by the President of the Security Council of 19 July 2006.

"6. The members of the Council intend to continue examining ways and means of streamlining and systematizing their mandating work, including by taking wider regional or subregional approaches to various mandates or groups of mandates, while at the same time taking into account views or positions of the parties concerned, as well as consulting with relevant regional or subregional organizations, as appropriate.

"7. The members of the Council also intend to continue their interaction and dialogue with other relevant United Nations organs on the issue of mandates, including in addressing potential areas of overlap or duplication, as appropriate, particularly as concerns reporting requirements of the Secretary-General.

"8. The members of the Council agree that the Ad Hoc Committee on Mandate Review has reached the main goals for which it was established and therefore it can conclude its work. Even though the Council reviews and renews most of its mandates periodically, based on the recent experience and lessons learned, the mandate review concept remains valid and relevant for the Council. It is an ongoing process. Any open, unresolved or newly emerging questions related to mandate review will be further addressed in the Council through an appropriate mechanism."

On 31 December 2007, the President of the Security Council issued the following note:[512]

"Following consultations among the members of the Security Council, it has been agreed that the Ad Hoc Working Group on Conflict Prevention and Resolution in Africa, initially established on 1 March 2002 for a period of one year,[513] will continue its work until 31 December 2008."

On 3 January 2008, the President of the Security Council issued the following note:[514]

"Pursuant to paragraph 4 (*b*) of the note by the President of the Security Council dated 30 October 1998,[504] and after consultations among the members of the Council, it was agreed to elect the Chairmen and Vice-Chairmen of subsidiary bodies for the period ending 31 December 2008, as follows:

Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

Chairman: Dumisani Kumalo (South Africa)
Vice-Chairmen: Croatia and Libyan Arab Jamahiriya

Security Council Committee established pursuant to resolution 918 (1994) concerning Rwanda

Chairman: R. M. Marty M. Natalegawa (Indonesia)
Vice-Chairman: Italy

Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone

Chairman: Le Luong Minh (Viet Nam)
Vice-Chairmen: Libyan Arab Jamahiriya and Panama

[512] S/2007/771.

[513] See S/2002/207.

[514] S/2008/2.

Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Chairman: Johan Verbeke (Belgium)
Vice-Chairmen: Burkina Faso and Russian Federation

Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Chairman: Mirjana Mladineo (Croatia)
Vice-Chairmen: France, Russian Federation and Viet Nam

Security Council Committee established pursuant to resolution 1518 (2003)

Chairman: Michel Kafando (Burkina Faso)
Vice-Chairman: Belgium

Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia

Chairman: Giadalla Ettalhi (Libyan Arab Jamahiriya)
Vice-Chairmen: Indonesia and South Africa

Security Council Committee established pursuant to resolution 1533 (2004) concerning the Democratic Republic of the Congo

Chairman: R. M. Marty M. Natalegawa (Indonesia)
Vice-Chairmen: Costa Rica and Viet Nam

Security Council Committee established pursuant to resolution 1540 (2004)

Chairman: Jorge Urbina (Costa Rica)
Vice-Chairmen: Croatia, Indonesia and United Kingdom of Great Britain and Northern Ireland

Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire

Chairman: Johan Verbeke (Belgium)
Vice-Chairmen: Italy and South Africa

Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan

Chairman: Marcello Spatafora (Italy)
Vice-Chairmen: Croatia and Panama

Security Council Committee established pursuant to resolution 1636 (2005)

Chairman: Michel Kafando (Burkina Faso)
Vice-Chairmen: Belgium and Viet Nam

Security Council Committee established pursuant to resolution 1718 (2006)

Chairman: Marcello Spatafora (Italy)
Vice-Chairmen: Costa Rica and Libyan Arab Jamahiriya

Security Council Committee established pursuant to resolution 1737 (2006)

Chairman: Johan Verbeke (Belgium)
Vice-Chairmen: Burkina Faso and Costa Rica

Working Group on Peacekeeping Operations

Chairman: R. M. Marty M. Natalegawa (Indonesia)

Ad Hoc Working Group on Conflict Prevention and Resolution in Africa

Chairman: Dumisani Kumalo (South Africa)

Working Group established pursuant to resolution 1566 (2004)

Chairman: Mirjana Mladineo (Croatia)

Working Group on Children and Armed Conflict

Chairman: Jean-Maurice Ripert (France)

Informal Working Group on Documentation and Other Procedural Questions

Chairman: Ricardo Alberto Arias (Panama)"

In a letter dated 3 January 2008, the President of the Security Council informed the Secretary-General of the selection of Belgium and South Africa as the two members of the Council's elected member category for the Organizational Committee of the Peacebuilding Commission for a term of one year, until the end of 2008.[515]

On 20 February 2008, the President of the Security Council issued the following note:[516]

"Following consultations among the members of the Security Council, the members agreed to elect the Chairman of the following committee for the period ending 31 December 2008:

Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

Neven Jurica (Croatia)

France, the Russian Federation and Viet Nam will continue to serve as Vice-Chairmen for the said period."

On 4 June 2008, the President of the Security Council issued the following note:[517]

"Following consultations among the members of the Security Council, the members agreed to elect the Chairmen of the following committees for the period ending 31 December 2008:

Security Council Committee established pursuant to resolution 1267 (1999) concerning Al-Qaida and the Taliban and associated individuals and entities

Jan Grauls (Belgium)

Burkina Faso and the Russian Federation will continue to serve as Vice-Chairmen for the said period.

Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire

Jan Grauls (Belgium)

Italy and South Africa will continue to serve as Vice-Chairmen for the said period.

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[515] The letter, which was issued as a Security Council document under the symbol S/2008/84 and Corr.1, has been reproduced on page 213 of the present volume.

[516] S/2008/115.

[517] S/2008/366.

Security Council Committee established pursuant to resolution 1737 (2006)

Jan Grauls (Belgium)

Burkina Faso and Costa Rica will continue to serve as Vice-Chairmen for the said period."

Items included in the agenda of the Security Council for the first time from 1 August 2007 to 31 July 2008

NOTE: The practice of the Security Council is to adopt at each meeting, on the basis of the provisional agenda circulated in advance, the agenda for that particular meeting; the agenda as adopted for each meeting held during the period from 1 August 2007 to 31 July 2008 will be found in the records of the 5728th to 5947th meetings (S/PV.5728–5947).

The following list of items shows also the meetings at which the Council decided, during that period, to include in the agenda items that had not been inscribed previously.

Item	*Meeting*	*Date*
The situation in Chad, the Central African Republic and the subregion	5734th	27 August 2007
Peace and security in Africa	5749th	25 September 2007
The role of regional and subregional organizations in the maintenance of international peace and security	5776th	6 November 2007
Briefing by the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator	5792nd	6 December 2007
Meeting of the Security Council with the troop-contributing countries pursuant to resolution 1353 (2001), annex II, sections A and B		
African Union-United Nations Hybrid Operation in Darfur	5934th	16 July 2008

Checklist of resolutions adopted by the Security Council from 1 August 2007 to 31 July 2008

Resolution number	*Date of adoption*	*Subject*	*Page*
1770 (2007)	10 August 2007	The situation concerning Iraq	215
1771 (2007)	10 August 2007	The situation concerning the Democratic Republic of the Congo	116
1772 (2007)	20 August 2007	The situation in Somalia	39
1773 (2007)	24 August 2007	The situation in the Middle East	6
1774 (2007)	14 September 2007	International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994	76
1775 (2007)	14 September 2007	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991	72
1776 (2007)	19 September 2007	The situation in Afghanistan	94
1777 (2007)	20 September 2007	The situation in Liberia	33
1778 (2007)	25 September 2007	The situation in Chad, the Central African Republic and the subregion	247
1779 (2007)	28 September 2007	Reports of the Secretary-General on the Sudan	193
1780 (2007)	15 October 2007	The question concerning Haiti	87
1781 (2007)	15 October 2007	The situation in Georgia	81
1782 (2007)	29 October 2007	The situation in Côte d'Ivoire	179
1783 (2007)	31 October 2007	The situation concerning Western Sahara	23
1784 (2007)	31 October 2007	Reports of the Secretary-General on the Sudan	196
1785 (2007)	21 November 2007	The situation in Bosnia and Herzegovina	64
1786 (2007)	28 November 2007	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991	73
1787 (2007)	10 December 2007	Threats to international peace and security caused by terrorist acts	166
1788 (2007)	14 December 2007	The situation in the Middle East	11
1789 (2007)	14 December 2007	The situation in Cyprus	17
1790 (2007)	18 December 2007	The situation concerning Iraq	220
1791 (2007)	19 December 2007	The situation in Burundi	91
1792 (2007)	19 December 2007	The situation in Liberia	34
1793 (2007)	21 December 2007	The situation in Sierra Leone	109
1794 (2007)	21 December 2007	The situation concerning the Democratic Republic of the Congo	119
1795 (2008)	15 January 2008	The situation in Côte d'Ivoire	182

Resolution number	*Date of adoption*	*Subject*	*Page*
1796 (2008)	23 January 2008	Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council	237
1797 (2008)	30 January 2008	The situation concerning the Democratic Republic of the Congo	123
1798 (2008)	30 January 2008	The situation between Eritrea and Ethiopia	134
1799 (2008)	15 February 2008	The situation concerning the Democratic Republic of the Congo	125
1800 (2008)	20 February 2008	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991	73
1801 (2008)	20 February 2008	The situation in Somalia	45
1802 (2008)	25 February 2008	The situation in Timor-Leste	29
1803 (2008)	3 March 2008	Non-proliferation	229
1804 (2008)	13 March 2008	The situation in the Great Lakes region	114
1805 (2008)	20 March 2008	Threats to international peace and security caused by terrorist acts	168
1806 (2008)	20 March 2008	The situation in Afghanistan	97
1807 (2008)	31 March 2008	The situation concerning the Democratic Republic of the Congo	126
1808 (2008)	15 April 2008	The situation in Georgia	83
1809 (2008)	16 April 2008	Peace and security in Africa	254
1810 (2008)	25 April 2008	Non-proliferation of weapons of mass destruction	190
1811 (2008)	29 April 2008	The situation in Somalia	48
1812 (2008)	30 April 2008	Reports of the Secretary-General on the Sudan	202
1813 (2008)	30 April 2008	The situation concerning Western Sahara	24
1814 (2008)	15 May 2008	The situation in Somalia	50
1815 (2008)	2 June 2008	The situation in the Middle East	15
1816 (2008)	2 June 2008	The situation in Somalia	60
1817 (2008)	11 June 2008	The situation in Afghanistan	103
1818 (2008)	13 June 2008	The situation in Cyprus	20
1819 (2008)	18 June 2008	The situation in Liberia	37
1820 (2008)	19 June 2008	Women and peace and security	154
1821 (2008)	27 June 2008	The situation in the Middle East	16
1822 (2008)	30 June 2008	Threats to international peace and security caused by terrorist acts	170
1823 (2008)	10 July 2008	The situation concerning Rwanda	75
1824 (2008)	18 July 2008	International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994	77

Resolution number	*Date of adoption*	*Subject*	*Page*
1825 (2008)	23 July 2008	Letter dated 22 November 2006 from the Secretary-General addressed to the President of the Security Council	239
1826 (2008)	29 July 2008	The situation in Côte d'Ivoire	186
1827 (2008)	30 July 2008	The situation between Eritrea and Ethiopia	138
1828 (2008)	31 July 2008	Reports of the Secretary-General on the Sudan	208

Draft resolutions considered at a formal meeting and not adopted

Draft resolution	*Subject*	*Meeting*	*Date*	*Page*
S/2008/447	Peace and security in Africa	5933rd	11 July 2008	261

Checklist of statements made by the President of the Security Council from 1 August 2007 to 31 July 2008

Date of statement	*Subject*	*Page*
3 August 2007	The situation in the Middle East (S/PRST/2007/29)	4
27 August 2007	The situation in Chad, the Central African Republic and the subregion (S/PRST/2007/30)	246
28 August 2007	Maintenance of international peace and security (S/PRST/2007/31)	243
7 September 2007	Threats to international peace and security caused by terrorist acts (S/PRST/2007/32)	164
10 September 2007	The situation in Timor-Leste (S/PRST/2007/33)	26
20 September 2007	The situation in the Middle East (S/PRST/2007/34)	8
2 October 2007	Reports of the Secretary-General on the Sudan (S/PRST/2007/35)	195
5 October 2007	Threats to international peace and security caused by terrorist acts (S/PRST/2007/36)	164
11 October 2007	The situation in Myanmar (S/PRST/2007/37)	235
19 October 2007	The situation in Guinea-Bissau (S/PRST/2007/38)	144
22 October 2007	Threats to international peace and security caused by terrorist acts (S/PRST/2007/39)	165
23 October 2007	Women and peace and security (S/PRST/2007/40)	150
24 October 2007	Reports of the Secretary-General on the Sudan (S/PRST/2007/41)	196
6 November 2007	The role of regional and subregional organizations in the maintenance of international peace and security (S/PRST/2007/42)	261
13 November 2007	The situation between Eritrea and Ethiopia (S/PRST/2007/43)	133
21 November 2007	The situation in the Great Lakes region (S/PRST/2007/44)	113
11 December 2007	Threats to international peace and security caused by terrorist acts (S/PRST/2007/45)	166
11 December 2007	The situation in the Middle East (S/PRST/2007/46)	10
12 December 2007	The situation in the Middle East (S/PRST/2007/47)	10
14 December 2007	The situation in the Middle East (S/PRST/2007/48)	12
19 December 2007	The situation in Somalia (S/PRST/2007/49)	43
27 December 2007	Threats to international peace and security caused by terrorist acts (S/PRST/2007/50)	167
11 January 2008	Reports of the Secretary-General on the Sudan (S/PRST/2008/1)	200
30 January 2008	The situation concerning the Democratic Republic of the Congo (S/PRST/2008/2)	124
4 February 2008	The situation in Chad, the Central African Republic and the subregion (S/PRST/2008/3)	252
6 February 2008	Peace and security in Africa (S/PRST/2008/4)	257
11 February 2008	The situation in Timor-Leste (S/PRST/2008/5)	28
12 February 2008	Children and armed conflict (S/PRST/2008/6)	139
15 February 2008	The situation between Eritrea and Ethiopia (S/PRST/2008/7)	136
15 April 2008	The situation in the Middle East (S/PRST/2008/8)	13
17 April 2008	The situation in Cyprus (S/PRST/2008/9)	19
24 April 2008	The situation in Burundi (S/PRST/2008/10)	93

Date of statement	*Subject*	*Page*
29 April 2008	The situation in Côte d'Ivoire (S/PRST/2008/11)	184
30 April 2008	The situation between Eritrea and Ethiopia (S/PRST/2008/12)	137
2 May 2008	The situation in Myanmar (S/PRST/2008/13)	236
12 May 2008	Maintenance of international peace and security: role of the Security Council in supporting security sector reform (S/PRST/2008/14)	242
13 May 2008	Reports of the Secretary-General on the Sudan (S/PRST/2008/15)	205
20 May 2008	Post-conflict peacebuilding (S/PRST/2008/16)	213
22 May 2008	The situation in the Middle East (S/PRST/2008/17)	14
27 May 2008	Protection of civilians in armed conflict (S/PRST/2008/18)	148
2 June 2008	Threats to international peace and security caused by terrorist acts (S/PRST/2008/19)	170
12 June 2008	Peace and security in Africa (S/PRST/2008/20)	258
16 June 2008	Reports of the Secretary-General on the Sudan (S/PRST/2008/21)	206
16 June 2008	The situation in Chad, the Central African Republic and the subregion (S/PRST/2008/22)	253
23 June 2008	Peace and security in Africa (S/PRST/2008/23)	260
24 June 2008	Reports of the Secretary-General on the Sudan (S/PRST/2008/24)	207
27 June 2008	The situation in the Middle East (S/PRST/2008/25)	16
11 July 2008	The situation in Afghanistan (S/PRST/2008/26)	107
16 July 2008	Reports of the Secretary-General on the Sudan (S/PRST/2008/27)	208
17 July 2008	Children and armed conflict (S/PRST/2008/28)	142

Litho in United Nations, New York ISSN 0257-1455 08-60709 – December 2008